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AMERICA

THE MEXICAN WAR AND SLAVERY

1845—1861



ABRAHAM LINCOLN
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Great Crises In Our History
Told by Its Makers

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Volume VII
The Mexican War and Slavery
1845—1861

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THE MEXICAN WAR AND SLAVERY
1845—1861

WAR CLOUDS OVER OREGON

By Thomas H. Benton

THE Oregon boundary dispute, in 1846, came near resulting in a war between Great Britain and the United States. Benton, from whose "Thirty Years' View" this account is taken, was a United States Senator from Missouri at the time and was an authority on western problems of legislation. In the debates on the Oregon question, he took a leading part against the "Fifty-four, forty or fight" advocates, and was spokesman for the Polk administration which was committed by the Democratic platform to demand "the whole of Oregon or none."

This demand, as Benton points out, was based upon ignorance of geography, there being no such line of latitude on the North American continent as $54^{\circ} 40'$. The present boundary line of 49° to the channel between Vancouver and the mainland and thence through the Straits of San Juan de Fuca to the sea, was vigorously advocated by Benton throughout a stormy period.

negotiators because they postpone an inconvenient question: they are consolatory to each party, because each says to itself it can get rid of the obligation when it pleases—a consolation always delusive to

TWO conventions (1818 and 1828) provided for the joint occupation of the countries respectively claimed by Great Britain and the United States on the north-west coast of America—that of 1818 limiting the joint occupancy to ten years—that of 1828 extending it indefinitely until either of the two powers should give notice to the other of a desire to terminate it. Such agreements are often made when it is found difficult to agree upon the duration of any particular privilege, or duty. They are seductive to the ne-

one of the parties: for the one that has the advantage always resists the notice, and long baffles it, and often through menaces causes it to be considered an unfriendly proceeding. On the other hand, the party to whom it is disadvantageous often sees danger in change; and if the notice is to be given in a legislative body, there will always be a large per centum of easy temperaments who are desirous of avoiding questions, putting off difficulties, and suffering the evils they have in preference of flying to those they know not: and in this way these temporary agreements, to be terminated on the notice of either party, generally continue longer than either party dreamed of when they were made. So it was with this Oregon joint occupancy. The first was for ten years: not being able to agree upon ten years more, the usual delusive resource was fallen upon: and, under the second joint occupation had already continued in operation fourteen years. Western Members of Congress now took up the subject, and moved the Senate to advise the government to give the notice. Mr. Semple, Senator from Illinois, proposed the motion: it was debated many days—resisted by many speakers: and finally defeated. It was first resisted as discourteous to Great Britain—then as offensive to her—then as cause of war on her side—finally, as actual war on our side—and even as a conspiracy to make war. . . .

Upon all this talk of war the commercial interest became seriously alarmed, and looked upon the delivery of the notice as the signal for a disastrous de-

pression in our foreign trade. In a word, the general uneasiness became so great that there was no chance for doing what we had a right to do, what the safety of our territory required us to do, and without the right to do which the convention of 1828 could not have been concluded. . . .

This was a pretermitted subject in the general negotiations which led to the Ashburton treaty: it was now taken up as a question for separate settlement. The British government moved in it, Mr. Henry S. Fox, the British Minister in Washington, being instructed to propose the negotiation. This was done in November, 1842, and Mr. Webster, then Secretary of State under Mr. Tyler, immediately replied, accepting the proposal, and declaring it to be the desire of his government to have this territorial question immediately settled. But the movement stopped there. Nothing further took place between Mr. Webster and Fox, and the question slumbered till 1844, when Mr. (since Sir) Richard Pakenham, arrived in the United States as British Minister, and renewed the proposition for opening the negotiation to Mr. Upshur, then Secretary of State. This was February 24th, 1844. Mr. Upshur replied promptly, that is to say, on the 26th of the same month, accepting the proposal, and naming an early day for receiving Mr. Pakenham to begin the negotiation. Before that day came he had perished in the disastrous explosion of the great gun on board the Princeton man-of-war. The subject again slumbered six months, and at the

end of that time, July 22d, was again brought to the notice of the American government by a note from the British minister to Mr. Calhoun, successor to Mr. Upshur in the Department of State. Referring to the note received from Mr. Upshur the day before his death, he said:

"The lamented death of Mr. Upshur, which occurred within a few days after the date of that note, the interval which took place between that event and the appointment of a successor, and the urgency and importance of various matters which offered themselves to your attention immediately after your accession to office, sufficiently explain why it has not hitherto been in the power of your government, sir, to attend to the important matters to which I refer. But, the session of Congress having been brought to a close, and the present being the season of the year when the least possible business is usually transacted. it occurs to me that you may now feel at leisure to proceed to the consideration of that subject. At all events it becomes my duty to recall it to your recollection, and to repeat the earnest desire of Her Majesty's government, that a question, on which so much interest is felt in both countries, should be disposed of at the earliest moment consistent with the convenience of the government of the United States."

Mr. Calhoun answered the 22d of August, declaring his readiness to begin the negotiation, and fixing the next day for taking up the subject. It was taken up accordingly, and conducted in the approved and

safe way of conducting such negotiations, that is to say, a protocol of every conference signed by the two negotiators before they separated, and the propositions submitted by each always reduced to writing. This was the proper and satisfactory mode of proceeding, the neglect and total omission of which had constituted so just and so loud a complaint against the manner in which Mr. Webster and Lord Ashburton had conducted their conferences. Mr. Calhoun and Mr. Pakenham met seven times, exchanged arguments and propositions, and came to a balk, which suspended their labors. Mr. Calhoun, rejecting the usual arts of diplomacy, which holds in reserve the ultimate and true offer while putting forward fictitious ones for experiment, went at once to his ultimatum, and proposed the continuation of the parallel of the 49th degree of north latitude, which, after the acquisition of Louisiana, had been adopted by Great Britain and the United States as the dividing line between their possessions, from the Lake of the Woods (fixed as a land-mark under the treaty of Utrecht), to the summit of the Rocky Mountains—the United States insisting at the same time to continue that line to the Pacific Ocean under the terms of the same treaty. Mr. Pakenham declined this proposition in the part that carried the line to the ocean, but offered to continue it from the summit of the mountains, to the Columbia River, a distance of some three hundred miles; and then follow the river to the ocean. This was refused by Mr. Calhoun; and the ultimatum

having been delivered on one hand, and no instructions being possessed on the other to yield any thing, the negotiations, after continuing through the month of September, came to a stand. At the end of four months (January 1845) Mr. Pakenham, by the direction of his government, proposed to leave the question to arbitration, which was declined by the American Secretary, and very properly; for, while arbitrament is the commendable mode of settling minor questions, and especially those which arise from the construction of existing treaties, yet the boundaries of a country are of too much gravity to be so submitted.

Mr. Calhoun showed a manly spirit in proposing the line of 49, as the dominant party in the United States, and the one to which he belonged, were then in a high state of exultation for the boundary of 54 degrees 40 minutes, and the presidential canvass, on the democratic side, was raging upon that cry. The Baltimore presidential convention had followed a pernicious practice, of recent invention, in laying down a platform of principles on which the canvass was to be conducted, and 54-40 for the northern boundary of Oregon, had been made a canon of political faith, from which there was to be no departure except upon the penalty of political damnation. Mr. Calhoun had braved this penalty, and in doing so had acted up to his public and responsible duty.

The new President, Mr. Polk, elected under that cry, came into office on the 4th of March, and acting upon it, put into his inaugural address a declaration

that our title to the whole of Oregon (meaning up to 54-40), was clear and indisputable; and a further declaration that he meant to maintain that title. It was certainly an unusual thing—perhaps unprecedented in diplomacy—that, while negotiations were depending (which was still the case in this instance, for the last note of Mr. Calhoun in January, declining the arbitration, gave as a reason for it that he expected the question to be settled by negotiation), one of the parties should authoritatively declare its right to the whole matter in dispute, and show itself ready to maintain it by arms. The declaration in the inaugural had its natural effect in Great Britain. It roused the British spirit as high as that of the American. Their excited voice came thundering back, to be received with indignation by the great democracy; and war—"inevitable war"—was the cry through the land.

The new administration felt itself to be in a dilemma. To stand upon 54-40 was to have war in reality: to recede from it, might be to incur the penalty laid down in the Baltimore platform. Mr. Buchanan, the new Secretary of State, did me the honor to consult me. I answered him promptly and frankly, that I held 49 to be the right line, and that, if the administration made a treaty upon that line, I should support it. This was early in April. The Secretary seemed to expect some further proposition from the British government; but none came. The rebuff in the inaugural address had been too public, and too violent, to admit that government to take the initiative again.

It said nothing: the war cry continued to rage: and at the end of four months our government found itself under the necessity to take the initiative, and recommence negotiations as the means of avoiding war. Accordingly, on the 22d of July, Mr. Buchanan (the direction of the President being always understood) addressed a note to Mr. Pakenham, resuming the negotiation at the point at which it had been left by Mr. Calhoun; and, conforming to the offer that he had made, and because he had made it, again proposed the line of 49 to the ocean. The British Minister again refused that line, and invited a "fairer" proposition. In the meantime the offer of 49 got wind. The democracy was in commotion. A storm was got up (foremost in raising which was the new administration organ, Mr. Ritchie's "Daily Union"), before which the administration quailed—recoiled—and withdrew its offer of 49. There was a dead pause in the negotiation again; and so the affair remained at the meeting of Congress, which came together under the loud cry of war, in which Mr. Cass was the leader, but followed by the body of the democracy, and backed and cheered on by the democratic press—some hundreds of papers. Of course the Oregon question occupied a place, and a prominent one, in the President's message—(which has been noticed)—and, on communicating the failure of the negotiation to Congress, he recommended strong measures for the security and assertion of our title. The delivery of the notice which was to abrogate the joint occupation

of the country by the citizens of the two powers, was one of these recommendations, and the debate upon that question brought out the full expression of the opinions of Congress upon the whole subject, and took the management of the questions into the hands of the Senate and House of Representatives.

The proposition for the line of 49 having been withdrawn by the American government on its non-acceptance by the British, had appeased the democratic storm which had been got up against the President; and his recommendation for strong measures to assert and secure our title was entirely satisfactory to those who now came to be called the Fifty-Four Forties. The debate was advancing well upon this question of notice, when a sinister rumor—only sinister to the extreme party—began to spread, that the British government would propose 49, and that the President was favorable to it. . . .

Mr. Benton then addressed the Senate: Mr. President, the bill before the Senate proposes to extend the sovereignty and jurisdiction of the United States over all our territories west of the Rocky Mountains, without saying what is the extent and what are the limits of this territory. This is wrong, in my opinion. We ought to define the limits within which our agents are to do such acts as this bill contemplates, otherwise we commit to them the solution of questions which we find too hard for ourselves. This indefinite extension of authority, in a case which requires the utmost precision, forces me to speak. and

to give my opinion of the true extent of our territories beyond the Rocky Mountains. I have delayed doing this during the whole session, not from any desire to conceal my opinions (which, in fact, were told to all that asked for them), but because I thought it the business of negotiation, not of legislation, to settle these boundaries. I waited for negotiation: but negotiation lags, while events go forward; and now we are in the process of acting upon measures, upon the adoption of which it may no longer be in the power either of negotiation or of legislation to control the events to which they may give rise. The bill before us is without definition of the territory to be occupied. And why this vagueness in a case requiring the utmost precision? Why not define the boundaries of these territories? Precisely because we do not know them! And this presents a case which requires me to wait no longer for negotiation, but to come forward with my own opinions, and to do what I can to prevent the evils of vague and indefinite legislation. My object will be to show, if I can, the true extent and nature of our territorial claims beyond the Rocky Mountains, with a view to just and wise decisions; and, in doing so, I shall endeavor to act upon the great maxim, "Ask nothing but what is right—submit to nothing that is wrong."

It is my ungracious task, in attempting to act upon this maxim, to commence by exposing error at home, and endeavoring to clear up some great mistakes under which the public mind has labored.

It has been assumed for two years, and the assumption has been made the cause of all the Oregon excitement of the country, that we have a dividing line with Russia, made so by the convention of 1824, along the parallel of $54^{\circ} 40'$, from the sea to the Rocky Mountains, up to which our title is good. This is a great mistake. No such line was ever established; and so far as proposed and discussed, it was proposed and discussed as a northern British, and not as a northern American line. The public treaties will prove there is no such line; documents will prove that, so far as $54^{\circ} 40'$, from the sea to the mountains, was ever proposed as a northern boundary for any power, it was proposed by us for the British, and not for ourselves.

To make myself intelligible in what I shall say on this point, it is necessary to go back to the epoch of the Russian convention of 1824, and to recall the recollection of the circumstances out of which that convention grew. The circumstances were these: In the year 1821 the Emperor Alexander, acting upon a leading idea of Russian policy (in relation to the North Pacific Ocean) from the time of Peter the Great, undertook to treat that ocean as a close sea, and to exercise municipal authority over a great extent of its shores and waters. In September of that year, the emperor issued a decree, bottomed upon this pretension, assuming exclusive sovereignty and jurisdiction over both shores of the North Pacific Ocean, and over the high seas, in front of each coast, to the

extent of one hundred Italian miles, from Behring's Straits down to latitude fifty-one, on the American coast, and to forty-five on the Asiatic; and denouncing the penalties of confiscation upon all ships, of whatsoever nation, that should approach the coasts within the interdicted distances. This was a very startling decree. Coming from a feeble nation, it would have been smiled at; coming from Russia, it gave uneasiness to all nations.

Great Britain and the United States, as having the largest commerce in the North Pacific Ocean, and as having large territorial claims on the north-west coast of America, were the first to take the alarm, and to send remonstrances to St. Petersburg against the formidable ukase. They found themselves suddenly thrown together, and standing side by side in this new and portentous contest with Russia. They remonstrated in concert, and here the wise and pacific conduct of the Emperor Alexander displayed itself in the most prompt and honorable manner. He immediately suspended the ukase (which, in fact, had remained without execution), and invited the United States and Great Britain to unite with Russia in a convention to settle amicably, and in a spirit of mutual convenience, all the questions between them, and especially their respective territorial claims on the northwest coast of America. This magnanimous proposition was immediately met by the two powers in a corresponding spirit; and, the ukase being voluntarily relinquished by the emperor, a convention was quickly signed by

Russia with each power, settling, so far as Russia was concerned, with each, all their territorial claims in Northwest America. The Emperor Alexander had proposed that it should be a joint convention of the three powers—a tripartite convention—settling the claims of each and of all at the same time; and if this wise suggestion had been followed, all the subsequent and all the present difficulties between the United States and Great Britain, with respect to this territory, would have been entirely avoided. But it was not followed: an act of our own prevented it. After Great Britain had consented, the non-colonization principle—the principle of non-colonization in America by any European power—was promulgated by our government, and for that reason Great Britain chose to treat separately with each power, and so it was done.

Great Britain and the United States treated separately with Russia, and with each other; and each came to agreements with Russia, but to none among themselves. The agreements with Russia were contained in two conventions, signed nearly at the same time, and nearly in the same words, limiting the territorial claim of Russia to $54^{\circ} 40'$, confining her to the coasts and islands, and leaving the continent, out to the Rocky Mountains, to be divided between the United States and Great Britain, by an agreement between themselves. The emperor finished up his own business and quit the concern. In fact, it would seem, from the promptitude, moderation, and fair-

ness with which he adjusted all differences both with the United States and Great Britain, that his only object of issuing the alarming ukase of 1821 was to bring those powers to a settlement; acting upon the homely, but wise maxim, that short settlements make long friends.

Well, there is no such line as $54^{\circ} 40'$; and that would seem to be enough to quiet the excitement which has been got up about it. But there is more to come. I set out with saying, that although this fifty-four forty was never established as a northern boundary for the United States, yet it was proposed to be established as a northern boundary, not for us, but for Great Britain—and that proposal was made to Great Britain by ourselves. This must sound like a strange statement in the ears of the fifty-four-forties; but it is no more strange than true; and after stating the facts, I mean to prove them. The plan of the United States at that time was this: That each of the three powers (Great Britain, Russia, and the United States) having claims on the northwest coast of America, should divide the country between them, each taking a third. In this plan of partition, each was to receive a share of the continent from the sea to the Rocky Mountains, Russia taking the northern slice, the United States the southern, and Great Britain the center, with fifty-four forty for her northern boundary, and forty-nine for her southern. The document from which I now read will say fifty-one; but that was the first offer—forty-nine was the real

one, as I will hereafter show. This was our plan. The moderation of Russia defeated it. That power had no settlements on that part of the continent, and rejected the continental share which we offered her. She limited herself to the coasts and islands where she had settlements, and left Great Britain and the United States to share the continent between themselves. But before this was known, we had proposed to her fifty-four forty for the Russian southern boundary, and to Great Britain the same for her northern boundary. I say fifty-four forty; for, although the word in the proposition was fifty-five, yet it was on the principle which gave fifty-four forty—namely, running from the south end of Prince of Wales' Island, supposed to be in fifty-five, but found to have a point to it running down to fifty-four forty. We proposed this to Great Britain. She refused it, saying she would establish her northern boundary with Russia, who was on her north, and not with the United States, who was on her south. This seemed reasonable; and the United States then, and not until then, relinquished the business of pressing fifty-four forty upon Great Britain for her northern boundary. The proof is in the executive documents. Here it is—a despatch from Mr. Rush, our minister in London, to Mr. Adams, Secretary of State, dated December 19, 1823.

(The despatch read.)

Here is the offer, in the most explicit terms, in 1823, to make fifty-five, which was in fact fifty-four forty, the northern boundary of Great Britain; and

here is her answer to that proposition. It is the next paragraph in the same despatch from Mr. Rush to Mr. Adams.

(The answer read.)

This was her answer, refusing to take, in 1823, as a northern boundary coming south for quantity, what is now prescribed to her, at the peril of war, for a southern boundary, with nothing north!—for, although the fact happens to be that Russia is not there, bounding us on the north, yet that makes no difference in the philosophy of our “fifty-four-forties,” who believe it to be so; and, on that belief, are ready to fight. Their notion is, that we go jam up to $54^{\circ} 40'$, and the Russians come jam down to the same, leaving no place for the British lion to put down a paw, although that paw should be no bigger than the sole of the dove’s foot which sought a resting-place from Noah’s ark. This must seem a little strange to British statesmen, who do not grow so fast as to leave all knowledge behind them. They remember that Mr. Monroe and his Cabinet—the President and Cabinet who acquired the Spanish title under which we now propose to squeeze them out of the continent—actually offered them six degrees of latitude in that very place; and they will certainly want reasons for this so much compression now, where we offered them so much expansion then. These reasons cannot be given. There is no boundary at $54^{\circ} 40'$; and so far as we proposed to make it one, it was for the British and not for ourselves; and so ends this redoubtable

line, up to which all true patriots were to march! and marching, fight! and fighting, die! if need be! singing all the while, with Horace—

“*Dulce et decorum est pro patria mori.*”

I come to the line of Utrecht, the existence of which is denied upon this floor by Senators whose fate it seems to be to assert the existence of a line that is not, and to deny the existence of one that it. A clerk in the Department of State has compiled a volume of voyages and of treaties, and, undertaking to set the world right, has denied that commissioners ever met under the treaty of Utrecht, and fixed boundaries between the British northern and French Canadian possessions in North America. That denial has been produced and accredited on this floor by a senator in his place (Mr. Cass); and this production of a blundering book, with this senatorial endorsement of its blunder, lays me under the necessity of correcting a third error which the “fifty-four-forties” hug to their bosom, and the correction of which becomes necessary for the vindication of history, the establishment of a political right, and the protection of the Senate from the suspicion of ignorance. I affirm that the line was established; that the commissioners met and did their work; and that what they did has been acquiesced in by all the powers interested from the year 1713 down to the present time.

In the year 1805, being the second year after the acquisition of Louisiana, President Jefferson sent

ministers to Madrid (Messrs. Monroe and Charles Pinckney) to adjust the southern and southwestern boundaries with her; and, in doing so, the principles which had governed the settlement of the northern boundary of the same province became a proper illustration of their ideas. They quoted these principles, and gave the line of Utrecht as the example; and this to Don Pedro Cevallos, one of the most accomplished statesmen of Europe. They say to him:

"It is believed that this principle has been admitted and acted on invariably since the discovery of America, in respect to their possessions there, by all the European powers. It is particularly illustrated by the stipulations of their most important treaties concerning those possessions and the practice under them, viz., the treaty of Utrecht in 1713, and that of Paris in 1763. In conformity with the 10th article of the first-mentioned treaty, the boundary between Canada and Louisiana on the one side, and the Hudson Bay and Northwestern Companies on the other, was established by commissioners, by a line to commence at a cape or promontory on the ocean, in $58^{\circ} 31'$ north latitude; to run thence, southwestwardly, to latitude 49° north from the equator; and along that line indefinitely westward. Since that time, no attempt has been made to extend the limits of Louisiana or Canada to the north of that line, or of those companies to the south of it, by purchase, conquest, or grants from the Indians."

This is what Messrs. Monroe and Charles Pinckney said to Don Pedro Cevallos—a minister who must be supposed to be as well acquainted with the treaties which settled the boundaries of the late Spanish province of Louisiana as we are with the treaties which settle the boundaries of the United States. The line of Utrecht, and in the very words which carry it from the Lake of the Woods to the Pacific Ocean, and which confine the British to the north, and the French and Spanish to the south of that line, are quoted to Mr. Cevallos as a fact which he and all the world knew. He received it as such; and thus Spanish authority comes in aid of British, French, and American, to vindicate our rights and the truth of history.

Another contribution, which I have pleasure to acknowledge, is from a gentleman of Baltimore, formerly of the House of Representatives (Mr. Kennedy), who gives me an extract from the Journal of the British House of Commons, March 5th, 1714, directing a writ to be issued for electing a burgess in the place of Frederick Herne, Esq., who, since his election, hath accepted, as the Journal says, the office of one of his Majesty's commissioners for treating with commissioners on the part of France for settling the trade between Great Britain and France. The same entry occurs at the same time with respect to James Murray, Esq., and Sir Joseph Martyn. The tenth article of the treaty of Utrecht applies to limits in North America, the eleventh and fifteenth to commerce; and these commissioners were appointed un-

der some or all of these articles. Others might have been appointed by the king, and not mentioned in the journals, as not being members of Parliament whose vacated seats were to be filled. All three of the articles of the treaty were equally obligatory for the appointment of commissioners; and here is proof that three were appointed under the commercial articles.

One more piece of testimony, and I have done. And, first, a little statement to introduce it. We all know that in one of the debates which took place in the British House of Commons on the Ashburton treaty, and after that treaty was ratified and past recall, mention was made of a certain map called the King's map, which had belonged to the late King (George III), and hung in his library during his lifetime, and afterwards in the Foreign Office, from which said office the said map silently disappeared about the time of the Ashburton treaty, and which certainly was not before our Senate at the time of the ratification of that treaty. Well, the member who mentioned it in Parliament said there was a strong red line upon it, about the tenth of an inch wide, running all along where the Americans said the true boundary was, with these words written along it in four places in King George's handwriting: "This is Oswald's line;" meaning, it is the line of the treaty of peace negotiated by Mr. Oswald on the British side, and therefore called Oswald's line.

Now, what I have to say is this: That whenever this royal map shall emerge from its retreat and resume its place in the Foreign Office, on it will be found another strong red line about the tenth of an inch wide, in another place, with these words written on it: Boundaries between the British and French possessions in America "as fixed by the treaty of Utrecht." To complete this last and crowning piece of testimony, I have to add that the evidence of it is in the Department of State, as is nearly the whole of the evidence which I have used in crushing this *poudre insurrection*—"this puddle-lane rebellion"—against the truth and majesty of history, which, beginning with a clerk in the Department of State, spread to all the organs, big and little; then reached the Senate of the United States, held divided empire in this chamber for four months, and now dies the death of the ridiculous.

We must now introduce the gentlemen of 54-40 to Frazer's River, an acquaintance which they will be obliged to make before they arrive at their inexorable line; for it lies in their course, and must be crossed—both itself and the British province of New Caledonia, which it waters. This, then, is the introduction to that inevitable acquaintance, hitherto ignored. It is a river of about a thousand miles in length (following its windings), rising in the Rocky Mountains, opposite the head of the Unjigah, or Peace River, which flows into the Frozen Ocean in latitude about 70. The course of this river is nearly

north and south, rising in latitude 55, flowing south to near latitude 49, and along that parallel, and just north of it, to the Gulf of Georgia, into which it falls behind Vancouver's Island. The upper part of this river is good for navigation; the lower half, plunging through volcanic chasms in mountains of rock, is wholly unnavigable for any species of craft. This river was discovered by Sir Alexander Mackenzie in 1793, was settled by the Northwest Company in 1806, and soon covered by their establishments from head to mouth. No American or Spaniard had ever left a track upon this river or its valley. Our claim to it, as far as I can see, rested wholly upon the treaty with Spain of 1819; and her claim rested wholly upon those discoveries among the islands, the value of which, as conferring claims upon the continent, it has been my province to show in our negotiations with Russia in 1824. At the time that we acquired this Spanish claim to Frazer's River, it had already been discovered twenty-six years by the British; had been settled by them for twelve years; was known by a British name; and no Spaniard had ever made a track on its banks. New Caledonia, or Western Caledonia, was the name which it then bore; and it so happens that an American citizen, a native of Vermont, respectably known to the Senators now present from that State, and who had spent twenty years of his life in the hyperborean regions of Northwest America, in publishing an account of his travels and sojourn-

ings in that quarter, actually published a description of this New Caledonia, as a British province, at the very moment that we were getting it from Spain, and without the least suspicion that it belonged to Spain! I speak of Mr. David Harmon, whose *Journal of Nineteen Years' Residence* between latitudes 47 and 58 in Northwestern America, was published at Andover, in his native State, in the year 1820, the precise year after we had purchased this New Caledonia from the Spaniards. . . .

The abrogation of the article in the conventions of 1818 and 1828, for the joint occupation of the Columbia, was a measure right in itself, indispensable in the actual condition of the territory—colonies from two nations planting themselves upon it together—and necessary to stimulate the conclusion of the treaty which was to separate the possessions of the two countries. Every consideration required the notice to be given, and Congress finally voted it; but not without a struggle in each House, longer and more determined than the disparity of the vote would indicate. In the House of Representatives the vote in its favor was 154—headed by Mr. John Quincy Adams: the nays were 54. The resolution as adopted by the House, then went to the Senate for its concurrence, where, on the motion of Mr. Reverdy Johnson, of Maryland, it underwent a very material alteration in form, without impairing its effect, adopting a preamble containing the motives for

the notice, and of which the leading were to show that amicable settlement of the title by negotiation was an object in view, and intended to be promoted by a separation of interests between the parties. Thus amended, the resolution was passed by a good majority—40 to 14. . . .

These nays were not all opposed to the notice itself, but to the form it had adopted, and to the clause which left it discretionary with the President to give it when he should think proper. They constituted the body of the extreme friends of Oregon, standing on the Baltimore platform—"the whole of Oregon or none"—looking to war as inevitable, and who certainly would have made it if their course had been followed. In the House the Senate's amendment was substantially adopted, and by an increased vote; and the authority for terminating the joint occupancy—a great political blunder in itself, and fraught with dangerous consequences—was eventually given, but after the lapse of a quarter of a century, and after bringing the two countries to the brink of hostilities. The President acted at once upon the discretion which was given him—caused the notice for the abrogation of the joint occupant article to be immediately given to the British government—and urged Congress to the adoption of the measures which were necessary for the protection of the American citizens who had gone to the territory.

The news of the broken off negotiations was received with regret in Great Britain. Sir Robert Peel,

with the frankness and integrity which constitute the patriotic statesman, openly expressed his regret in Parliament that the offer of 49, when made by the American government, had not been accepted by the British government; and it was evident that negotiations would be renewed. They were so: and in a way to induce a speedy conclusion of the question—being no less than a fair and open offer on the side of the British to accept the line we had offered. The administration was in a quandary (*qu'en dirai-je?* what shall I say to it?), at this unexpected offer. They felt that it was just, and that it ought to be accepted: at the same time they had stood upon the platform of the Baltimore convention—had helped to make it—had had the benefit of it in the election; and were loth to show themselves inconsistent, or ignorant. Besides the fifty-four forties were in commotion against it. A specimen of their temper has been shown in Mr. Hannegan's denunciation of the President. All the government newspapers—the official organ at Washington City, and the five hundred democratic papers throughout the Union which followed its lead, were all vehement against it. Underhandedly they did what they could to allay the storm which was raging—encouraging Mr. Haywood, Mr. Benton, and others to speak; but the pride of consistency, and the fear of reproach, kept them in the background, and even ostensibly in favor of 54-40, while encouraging the events which would enable them to settle on 49. Mr. Pakenham made his offer: it was not a case for delay:

and acceptance or rejection became inevitable. It was accepted; and nothing remained but to put the treaty into form. A device was necessary, and it was found in the early practice of the government—that of the President asking the advice of the Senate upon the articles of a treaty before the negotiation. Mr. Benton proposed this course to Mr. Polk. He was pleased with it, but feared its feasibility. The advice of the Senate would be his sufficient shield: but could it be obtained? The chances seemed to be against it. It was an up-hill business, requiring a vote of two-thirds: it was a novelty, not practised since the time of Washington: it was a submission to the Whigs, with the risk of defeat; for unless they stood by the President against the dominant division of his own friends, the advice desired would not be given; and the embarrassment of the administration would be greater than ever. In this uneasy and uncertain state of mind, the President had many conferences with Mr. Benton, the point of which was to know, beyond the chance of mistake, how far he could rely upon the Whig Senators. Mr. Benton talked with them all—with Webster, Archer, Berrien, John M. Clayton, Crittenden, Corwin, Davis of Massachusetts, Dayton, Greene of Rhode Island, Huntington of Connecticut, Reverdy Johnson, Henry Johnson of Louisiana, Miller of New Jersey, Phelps, Simmons, Upham, Woodbridge,—and saw fully that they intended to act for their country, and not for their party: and reported to the President that he would be safe in trusting to them—that their

united voice would be in favor of the advice, which, added to the minority of the democracy, would make the two-thirds which were requisite. The most auspicious mode of applying for this advice was deemed to be the submission of a "projet" of a treaty, presented by the British Minister, and to be laid before the Senate for their opinion upon its acceptance. The "projet" was accordingly received by Mr. Buchanan, a message drawn up, and the desired advice was to be asked the next day, 10th of June. A prey to anxiety as to the conduct of the Whigs, the mere absence of part of whom would defeat the measure, the President sent for Mr. Benton the night before, to get himself reassured on that point. Mr. Benton was clear and positive that they would be in their places, and would vote the advice, and that the measure would be carried. . . .

It was clear, then, that the fact of treaty or no treaty depended upon the Senate—that the whole responsibility was placed upon it—that the issue of peace or war depended upon that body. Far from shunning this responsibility, that body was glad to take it, and gave the President a faithful support against himself, against his Cabinet, and against his peculiar friends. These friends struggled hard, and exhausted parliamentary tactics to defeat the application, and though a small minority, were formidable in a vote where each one counted two against the opposite side. The first motion was to refer the message to the Committee on Foreign Relations, where the

fifty-four forties were in the majority, and from whose action delay and embarrassment might ensue. Failing in that motion, it was moved to lay the message on the table. Failing again, it was moved to postpone the consideration of the subject to the next week. That motion being rejected, the consideration of the message was commenced, and then succeeded a series of motions to amend and alter the terms of the proposition as submitted. All these failed, and at the end of two days the vote was taken and the advice given.

The advice was in these words:

“Resolved (two-thirds of the Senators present concurring), That the President of the United States be, and he is hereby, advised to accept the proposal of the British government, accompanying his message to the Senate dated 10th June, 1846, for a convention to settle boundaries, &c., between the United States and Great Britain west of the Rocky or Stony mountains.

“Ordered, That the Secretary lay the said resolution before the President of the United States.”

Four days afterwards the treaty was sent in in due form, accompanied by a message which still left its responsibility on the advising Senate. . . .

Two days more were consumed in efforts to amend or alter the treaty in various of its provisions, all of which failing, the final vote on its ratification was taken, and carried by an increased vote on each side—41 to 14.

An anomaly was presented in the progress of this question—that of the daily attack, by all the government papers, upon the Senators who were accomplishing the wishes of the President. The organ at Washington, conducted by Mr. Ritchie, was incessant and unmeasured in these attacks, especially on Mr. Benton, whose place in the party, and his geographical position in the West, gave him the privilege of being considered the leader of the forty-nines, and therefore the most obnoxious. It was a new thing under the sun to see the Senator daily assailed, in the government papers, for carrying into effect the wishes of the government—to see him attacked in the morning for what the President was hurrying him to do the night before. His course was equally independent of the wishes of the government, and the abuse of its papers. He had studied the Oregon question for twenty-five years—had his mind made up upon it—and should have acted according to his convictions without regard to support or resistance from any quarter.—The issue was an instructive commentary upon the improvidence of these party platforms, adopted for an electioneering campaign, made into a party watch-word, often fraught with great mischief to the country, and often founded in ignorance or disregard of the public welfare. This Oregon platform was eminently of that character. It was a party platform for the campaign: its architects knew but little of the geography of the north-west coast, or of its diplomatic history. They had never heard of the line of the treaty of

Utrecht, and denied its existence: they had never heard of the multiplied offers of our government to settle upon that line, and treated the offer now as a novelty and an abandonment of our rights: they had never heard that their 54-40 was no line on the continent, but only a point on an island on the coast, fixed by the Emperor Paul as the southern limit of the charter granted by him to the Russian Fur Company: had never heard of Frazer's River and New Caledonia, which lay between Oregon and their indisputable line, and ignored the existence of that river and province. The pride of consistency made them adhere to these errors; and a desire to destroy Mr. Benton for not joining in the hurrahs for the "whole of Oregon, or none," and for the "immediate annexation of Texas without regard to consequences," lent additional force to the attacks upon him. The conduct of the Whigs was patriotic in preferring their country to their party—in preventing a war with Great Britain—and in saving the administration from itself and its friends. Great Britain acted magnanimously, and was worthily represented by her minister, Mr. (now Sir Richard) Pakenham. Her adoption and renewal of our own offer, settled the last remaining controversy between the countries—left them in a condition which they had not seen since the peace of 1783—without any thing to quarrel about, and with a mutuality of interest in the preservation of peace which promised a long continuance of peace. But, alas, Great Britain is to the United States now what

Spain was for centuries to her—the raw-head and bloody-bones which inspires terror and rage. During these centuries a ministry, or a public man that was losing ground at home, had only to raise a cry of some insult, aggression, or evil design on the part of Spain to have Great Britain in arms against her. And so it is in the United States at present, putting Great Britain in the place of Spain, and ourselves in hers. We have periodical returns of complaints against her, each to perish when it has served its turn, and to be succeeded by another, evanescent as itself. Thus far, no war has been made; but politicians have gained reputations; newspapers have taken fire; stocks have vacillated, to the profit of jobbers; great expense incurred for national defence in ships and forts, when there is nothing to defend against: and if there was, the electric telegraph and the steam car would do the work with little expense either of time or money.

THE ACQUISITION OF CALIFORNIA

FRÉMONT'S SUCCESSFUL INVASION

By Thomas H. Benton

FOUR years before the date on which this account opens (1846), John Charles Frémont, the distinguished soldier-explorer, had become a son-in-law of Senator Benton, who is thus well-qualified to discuss his exploits.

California had hitherto been under Spanish and Mexican domination. The first settlement, at San Diego, was founded by Spanish friars in 1769. By the end of the century eighteen missions were flourishing, and several thousand native converts were counted for Christianity. As late at 1800 the Spanish population did not exceed 1,700, and forty years later the whites numbered less than 6,000. At the time of the conquest, the total was popularly estimated at between 8,000 and 12,000.

Benton omits to say that, for acting as Governor of California in defiance of General Kearney's orders, Frémont was court-martialed and sentenced to dismissal from the service. Later he was permitted to resign.

observation would lead him to the Pacific Ocean, through a Mexican province—through the desert

IN the month of May, 1845, Mr. Frémont, then a brevet captain of engineers (appointed a lieutenant-colonel of rifles before he returned), set out on his third expedition of geographical and scientific exploration in the Great West. Hostilities had not broken out between the United States and Mexico; but Texas had been incorporated; the preservation of peace was precarious, and Mr. Frémont was determined, by no act of his, to increase the difficulties, or to give any just cause of complaint to the Mexican Government. His line of

parts first, and the settled part afterward of the Alta California.

Approaching the settled parts of the province at the commencement of winter, he left his equipment of 60 men and 200 horses on the frontier, and proceeded alone to Monterey, to make known to the Governor the object of his coming, and his desire to pass the winter (for the refreshment of his men and horses) in the uninhabited parts of the valley of the San Joaquin. The permission was granted; but soon revoked, under the pretext that Mr. Frémont had come into California, not to pursue science, but to excite the American settlers to revolt against the Mexican Government. Upon this pretext troops were raised, and marched to attack him. Having notice of their approach, he took a position on the mountain, hoisted the flag of the United States, and determined, with his sixty brave men, to defend himself to the last extremity—never surrendering; and dying, if need be, to the last man. A messenger came into his camp, bringing a letter from the American consul at Monterey, to apprise him of his danger: that messenger, returning, reported that 2,000 men could not force the American position; and that information had its effect. . . .

It was in the midst of dangers in the wildest regions of the Farthest West that Mr. Frémont was pursuing science and shunning war, when the arrival of Lieutenant Gillespie, and his communications from Wash-

ington, suddenly changed all his plans, turned him back from Oregon, and opened a new and splendid field of operations in California itself. He arrived in the valley of the Sacramento in the month of May, 1846, and found the country alarmingly and critically situated. Three great operations, fatal to American interests, were then going on, and without remedy, if not arrested at once. These were: 1. The massacre of the Americans, and the destruction of their settlements, in the valley of the Sacramento. 2. The subjection of California to British protection. 3. The transfer of the public domain to British subjects. And all this with a view to anticipate the events of a Mexican war, and to shelter California from the arms of the United States.

The American settlers sent a deputation to the camp of Mr. Frémont, in the valley of the Sacramento, laid all these dangers before him, and implored him to place himself at their head and save them from destruction. General Castro was then in march upon them: the Indians were incited to attack their families, and burn their wheat fields, and were only waiting for the dry season to apply the torch. Juntas were in session to transfer the country to Great Britain: the public domain was passing away in large grants to British subjects: a British fleet was expected on the coast: the British vice-consul, Forbes, and the emissary priest, Macnamara, ruling and conducting everything: and all their plans so far advanced as to render the least delay fatal.

It was then the beginning of June. War had broken out between the United States and Mexico, but that was unknown in California. Mr. Frémont had left the two countries at peace when he set out upon his expedition, and was determined to do nothing to disturb their relations: he had even left California to avoid giving offense; and to return and take up arms in so short a time was apparently to discredit his own previous conduct as well as to implicate his Government. He felt all the responsibilities of his position; but the actual approach of Castro, and the immediate danger of the settlers, left him no alternative. He determined to put himself at the head of the people, and to save the country. To repulse Castro was not sufficient: to overturn the Mexican Government in California, and to establish Californian independence, was the bold resolve, and the only measure adequate to the emergency.

That resolve was taken, and executed with a celerity that gave it a romantic success. The American settlers rushed to his camp—brought their arms, horses and ammunition—were formed into a battalion; and obeyed with zeal and alacrity the orders they received. In thirty days all the northern part of California was freed from Mexican authority—independence proclaimed—the flag of independence raised—Castro flying to the south—the American settlers saved from destruction; and the British party in California counteracted and broken up in all their schemes.

This movement for independence was the salvation of California, and snatched it out of the hands of the British at the moment they were ready to clutch it. For two hundred years—from the time of the navigator Drake, who almost claimed it as a discovery, and placed the English name of New Albion upon it—the eye of England has been upon California; and the magnificent bay of San Francisco, the great seaport of the north Pacific Ocean, has been surveyed as her own. The approaching war between Mexico and the United States was the crisis in which she expected to realize the long-deferred wish for its acquisition; and carefully she took her measures accordingly. She sent two squadrons to the Pacific as soon as Texas was incorporated—well seeing the actual war which was to grow out of that event—a small one into the mouth of the Columbia, an imposing one to Mazatlan, on the Mexican coast, to watch the United States squadron there, and to anticipate its movement upon California. Commodore Sloat, commanding the squadron at Mazatlan, saw that he was watched, and pursued, by Admiral Seymour, who lay alongside of him, and he determined to deceive him. He stood out to sea, and was followed by the British admiral. During the day he bore west, across the ocean, as if going to the Sandwich Islands: Admiral Seymour followed. In the night the American commodore tacked, and ran up the coast toward California: the British admiral, not seeing the tack, continued on his course, and went entirely to the Sandwich Islands before he

was undeceived. Commodore Sloat arrived before Monterey on the second of July, entering the port amicably, and offering to salute the town, which the authorities declined on the pretext that they had no powder to return it—in reality because they momentarily expected the British fleet.

Commodore Sloat remained five days before the town, and until he heard of Frémont's operations: then believing that Frémont had orders from his Government to take California, he having none himself, he determined to act himself. He received the news of Frémont's successes on the 6th day of July; on the 7th he took the town of Monterey, and sent a dispatch to Frémont. This latter came to him in all speed, at the head of his mounted force. Going immediately on board the commodore's vessel, an explanation took place. The commodore learned with astonishment that Frémont had no orders from his Government to commence hostilities—that he had acted entirely on his own responsibility. This left the commodore without authority for having taken Monterey; for still at this time the commencement of the war with Mexico was unknown. Uneasiness came upon the commodore. He remembered the fate of Captain Jones in making the mistake of seizing the town once before in time of peace. He resolved to return to the United States, which he did—turning over the command of the squadron to Commodore Stockton, who had arrived on the 15th. The next day (16th) Admiral Seymour arrived; his flagship

the "Collingwood," of 80 guns, and his squadron the largest British fleet ever seen in the Pacific. To his astonishment he beheld the American flag flying over Monterey, the American squadron in its harbor, and Frémont's mounted riflemen encamped over the town.

His mission was at an end. The prize had escaped him. He attempted nothing further, and Frémont and Stockton rapidly pressed the conquest of California to its conclusion. The subsequent military events can be traced by any history: they were the natural sequence of the great measure conceived and executed by Frémont before any squadron had arrived upon the coast, before he knew of any war with Mexico, and without any authority from his Government, except the equivocal and enigmatical visit of Mr. Gillespie. Before the junction of Mr. Frémont with Commodores Sloat and Stockton his operations had been carried on under the flag of independence—the Bear Flag, as it was called—the device of the bear being adopted on account of the courageous qualities of that animal (the white bear), which never gives the road to men—which attacks any number—and fights to the last with increasing ferocity, with amazing strength of muscle, and with an incredible tenacity of the vital principle—never more formidable and dangerous than when mortally wounded. The independents took the device of this bear for their flag, and established the independence of California under it: and in joining the United States forces, hauled down this flag, and hoisted the flag of the United States.

And the fate of California would have been the same whether the United States squadrons had arrived, or not; and whether the Mexican War had happened or not. California was in a revolutionary state, already divided from Mexico politically as it had always been geographically. The last governor-general from Mexico, Don Michel Toreno, had been resisted—fought—captured—and shipped back to Mexico, with his 300 cutthroat soldiers. An insurgent government was in operation, determined to be free of Mexico, sensible of inability to stand alone, and looking, part to the United States, part to Great Britain, for the support which they needed. All the American settlers were for the United States protection, and joined Frémont. The leading Californians were also joining him. His conciliatory course drew them rapidly to him. The Picos, who were the leading men of the revolt (Don Pico, Don Andres and Don Jesus), became his friends. California became independent of Mexico by the revolt of the Picos, and independent of them by the revolt of the American settlers, had its destiny to fulfill—which was, to be handed over to the United States. So that its incorporation with the American Republic was equally sure in any and every event.

THE AMERICAN ALCALDE AT MONTEREY

By Walter Colton

WALTER COLTON, a graduate of Yale and the Andover Theological Seminary, was a friend of President Jackson, by whom he was appointed chaplain in the United States Navy in 1831. While assigned to the Philadelphia Navy Yard he became editor of the Philadelphia "North American."

At the prospect of war with Mexico, he returned to active service and went to California in 1846 as chaplain of the U. S. S. "Congress." Military and naval forces under Colonel Frémont, Commodore Stockton and General Kearney having wrested California from Mexico, Colton was appointed Alcalde of Monterey. He was one of the founders of the first American newspaper on the Pacific Coast, the "Californian," established in Monterey in 1846.

These extracts from his journal, dated 1846, present a vivid picture of Spanish-Californian life in various phases—a siesta of civilization rudely disturbed by the American conquest.

had been devolved. But the services of these officers were deemed indispensable to the efficiency of the ships to which they were attached. This left me no

COMMODORE STOCKTON informed me to-day [Tuesday, July 28, 1846] that I had been appointed Alcalde of Monterey and its jurisdiction. I had dreamed in the course of my life, as most people have, of the thousand things I might become, but it never entered my visions that I should succeed to the dignity of a Spanish alcalde. I much preferred my berth on board the "Congress," and that the judicial functions in question should continue to be discharged by the two intelligent gentlemen, Purser R. M. Price and Dr. Edward Gilchrist, upon whom they

alternative; my trunks were packed, my books boxed, and in an hour I was on shore, a guest in the house of our consul, T. O. Larkin, Esq., whose munificent hospitalities reach every officer of the squadron, and every functionary in the interest of the flag. This is the more appreciated from the fact that there is not a public table or hotel in all California. High and low, rich and poor, are thrown together on the private liberality of the citizens. Though a quasi war exists, all the amenities and courtesies of life are preserved; your person, life, and liberty are as sacred at the hearth of the Californian as they would be at your own fireside. He will never betray you; the rights of hospitality, in his generous judgment, require him to imperil his own life in defence of yours. He may fight you on the field, but in his family, you may dance with his daughters, and he will himself wake the waltzing string. . . .

Thursday, July 30. To-day I entered on the duties of my office as Alcalde of Monterey: my jurisdiction extends over an immense extent of territory, and over a most heterogeneous population. Almost every nation has, in some emigrant, a representative here—a representative of its peculiar habits, virtues, and vices. Here is the reckless Californian, the half-wild Indian, the roving trapper of the West, the lawless Mexican, the licentious Spaniard, the scolding Englishman, the absconding Frenchman, the luckless Irishman, the plodding German, the adventurous Russian, and the discontented Mormon. All have come here with the

expectation of finding but little work and less law. Through this discordant mass I am to maintain order, punish crime, and redress injuries.

Friday, July 31. Nearly all the houses in Monterey are of one story, with a corridor. The walls are built of adobes or sun-baked brick, with tiled roofs. The center is occupied by a large hall, to which the dining-room and sleeping apartments seem mere appurtenances. Everything is in subordination to the hall, and this is designed and used for dancing. It has a wood floor, and springs nightly to the step of those who are often greeted in the whirl of their amusements by the risen sun. The dance and a dashing horse are the two objects which overpower all others in interest with the Californians. The fiddle has been silent since our flag went up, from the fact that many of the gentlemen have left to join General Castro. But if they return, though covered with disaster, the fiddle will be called upon to resume its fantastic functions. You might as well attempt to extinguish a love of air in a life-preserver as the dancing propensity of this people. . . .

Tuesday, Aug. 4. The military chieftains, who have successively usurped the government of California, have arbitrarily imposed such duties on foreign imports as their avarice or exigency suggested. A few examples will be sufficient to show the spirit and character of these imposts. Unbleached cottons, which cost in the United States six cents the yard cost here fifty and shirtings cost seventy-five. Plain knives

and forks cost ten dollars the dozen; coarse cowhide shoes three dollars the pair; the cheapest tea three dollars the pound; and a pair of common truck-wheels seventy-five dollars. The duty alone on the coarsest hat, even if made of straw, is three dollars.

The revenues derived from these enormous imposts have passed into the pockets of a few individuals who have placed themselves, by violence or fraud, at the head of the government, and have never reached the public in any beneficial form. These exactions, enforced by an irresponsible tyranny, have kept California poor, have crushed all enterprise, and have rolled back the tide of emigration from her soil as the resisting rock the rushing stream. But the barriers are now broken, and broken forever. California is free. . . .

Saturday, Aug. 15. To-day the first newspaper ever published in California made its appearance. The honor, if such it be, of writing its Prospectus, fell to me. It is to be issued every Saturday, and is published by Semple and Colton. Little did I think when relinquishing the editorship of the "North American" in Philadelphia, that my next feat in this line would be off here in California. My partner is an emigrant from Kentucky, who stands six feet eight in his stockings. He is in a buckskin dress, a foxskin cap; is true with his rifle, ready with his pen, and quick at the type-case.

He created the materials of our office out of the chaos of a small concern, which had been used by a

Roman Catholic monk in printing a few sectarian tracts. The press was old enough to be preserved as a curiosity; the mice had burrowed in the balls; there were no rules, no leads, and the types were rusty and all in pi. It was only by scouring that the letters could be made to show their faces. A sheet or two of tin were procured, and these, with a jack-knife, were cut into rules and leads. Luckily we found, with the press, the greater part of a keg of ink; and now came the main scratch for paper. None could be found, except what is used to envelop the tobacco of the cigar smoked here by the natives. A coaster had a small supply of this on board, which we procured. It is in sheets a little larger than the common-sized foolscap. And this is the size of our first paper, which we have christened the "Californian."

Though small in dimensions, our first number is as full of news as a black-walnut is of meat. We have received by couriers, during the week, intelligence from all the important military posts through the territory. Very little of this has transpired; it reaches the public for the first time through our sheet. We have, also, the declaration of war between the United States and Mexico, with an abstract of the debate in the Senate. A crowd was waiting when the first sheet was thrown from the press. It produced quite a little sensation. Never was a bank run upon harder; not, however, by people with paper to get specie, but exactly the reverse. One-half of the paper is in English, the other in Spanish. The subscription for a year is

five dollars; the price of a single sheet is twelve and a half cents. . . .

Wednesday, Aug. 26. The Californians breakfast at eight, dine at twelve, take tea at four, supper at eight, and then go to bed—unless there is a fandango. The supper is the most substantial meal of the three, and would visit anybody but a Californian with the nightmare. But their constant exercise in the open air and on horseback gives them the digestion of the ostrich.

The only meat consumed here to any extent is beef. It is beef for breakfast, beef for dinner, and beef for supper. A pig is quite a rarity; and as for chickens, they are reserved for the sick. The woods are full of partridges and hare; the streams and lagoons are covered with ducks and wild geese; and the harbor abounds with the most delicious fish. But no Californian will angle or hunt, while he has a horse or saddle left. And as for the Indians, but very few of them have any hunting gear beyond the bow and arrow; with these they can kill the deer and elk, but a partridge and hare are too shy and too quick. They spear a large salmon which frequents Carmel river, three miles distant, and bring it in to market. This fish is often three feet long, extremely fat, and of a flavor that takes from Lent half the merit of its abstinence. Spearing them is high sport for the Indian, and is another feature in California life. . . .

Friday, Aug. 28. The ox-cart of the Californian is quite unique and primitive. The wheels are cut trans-

versely from the butt-end of a tree, and have holes through the centre of a huge wood axle. The tongue is a long, heavy beam, and the yoke resting on the necks of the oxen, is lashed to their horns, close down to the roots; from these they draw, instead of the chest, as with us; and they draw enormous loads, but the animals are large and powerful.

But to return to the cart. On gala days it is swept out, and covered with mats; a deep body is put on, which is arched with loop-poles, and over these a pair of sheets are extended for a covering. Into this the ladies are tumbled, when three or four yoke of oxen, with as many Indian drivers, and ten times as many dogs, start ahead. The hallooing of the drivers, the barking of the dogs, and the loud laughter of the girls make a common chorus. The quail takes to the covert as the roaring establishment comes on, and even the owl suspends his melancholy note. What has his sad tone to do amid such noise and mirth? It is like the piping cry of an infant amid the revelry and tumult of the carnival. . . .

Tuesday, Oct. 20. The mode of cultivating land in California is eminently primitive. In December or January they take a piece of wood in the shape of a ship's knee, dress it down a little with a dull axe, and spike a piece of iron to the lower point. A pole, by which the oxen draw, runs from the inner bend of the knee to the yoke. This pole has a mortise, about eight inches long, made slanting, and about a foot from the after end; a piece of wood, about two inches

by six, runs up through the plough and pole, and is so wedged into the mortise of the pole, as to make the plough run shallow or deep as required. But if the ground happens to be hard the plough will not enter an inch, and if there are roots in the ground it must be lifted over, or it will be invariably broken. Such is a California plough; such a fair specimen of the arts here. . . .

Wednesday, Oct. 21. If late in the season, the Californian rarely prepares the ground by any furrowing attempts. He scatters the seed about the field, and then scratches it in with the thing which he calls a plough. Should this scratching fail of yielding him sixty bushels to the acre, he grumbles. In reaping he cuts so high, to save a little trouble in threshing, which is done here by horses, that he loses one-eighth of his crop; but this eighth serves for seed the next season; and what to him is better still, saves the trouble of sowing. So that his second crop plants itself from the first, and is often nearly as large as its predecessor. Even the third self-planted crop is quite respectable, and would satisfy a New England farmer for his laborious toil; but here it generally goes to the black-birds. . . .

HORSES AND HORSEMEN.

Friday, Dec. 4. The moment a child is born on a farm in California, and the nurse has had time to dress it, it is given to a man on horseback, who, with its

future godfather and godmother, ride post-haste with it to some mission, and present it to a priest for baptism. This ceremony concluded, the party, full of glee, start on their return; and the little newcomer may now, perhaps, rest a week or two before he starts on another excursion; but after that, hardly a day will elapse without his being on horseback. He literally rides from his cradle to his grave. Thus, by the time a boy is ten or twelve years of age, he becomes an expert rider, is devoted to the saddle, and looks upon pedestrian motion as a contemptible way of getting through the world. He would sooner travel a hundred miles on horseback than ten on foot, and connect less fatigue and hardship with the result. Most of his labors, too, are on the saddle. He has a farm of twenty or thirty miles to ride over; vast wheat-fields to survey, and perhaps, ten thousand head of cattle to keep from straying. . . .

Wednesday, Dec. 9. The horses of California are of a hardy nature; and it is well for them that they are, considering the inhuman manner in which they are generally treated by the natives. If a man wants to ride forty or fifty miles from his residence, he mounts his horse, and spurs off upon the gallop. On arriving at the place of his destination, he ties him to a post, where he stands two or three days waiting for his master. During this time he is not once fed, and is quite fortunate if he gets a swallow of water. At last his rider comes, mounts him, and he takes him back again at the same free and easy gait with which

he first started. This, of course, is confined to the summer season, when the grass has the most substance and nutriment: still it is almost incredible. Besides the weight of his heavy rider, the horse generally carries fifty or sixty pounds in the gear of his saddle, and double this in a soaking rain. It requires two large tanned ox hides to fit out a Californian saddle; then add to this, the wooden stirrups, three inches thick, the saddle-tree, with its stout iron rings and buckles, a pair of goat-skins across the pommel, holsters and pistols, and spurs at the heels of the rider, weighing from four to six pounds, and we have some idea of what a Californian horse has to carry. Still he is cheerful and spirited, and never flags till nature sinks with exhaustion. A man who can abuse such an animal, ought to be bitted and saddled himself.

AN AMERICAN PIONEER.

Thursday, Dec. 10. The old as well as the young are coming over the mountains. I had an emigrant to dine with me to-day, who has recently arrived, and who is seventy-six years of age. His locks are as free of gray hairs as those of a child, and his eye still flashes with the fires of youth. He is among the volunteers, and you may see him every day on a spirited horse, with a rifle at his saddle-bow. He has four sons with Colonel Frémont. They enlisted before they had time to unpack their saddles, and have with them the remnants of the biscuit and cheese which they brought

from the United States. I asked the old man what could induce him at his age to come to California. He said his children were coming, and so he determined to come too. I asked him if he had no compunction in taking up arms against the inhabitants the moment of his arrival. He said he had Scripture example for it. The Israelites took the promised land of the East by arms, and the Americans must take the promised land of the West in the same way. I told him that would do, if he could show the same high commission. But I find this kind of parallel running in the imagination of all the emigrants. They seem to look upon this beautiful land as their own Canaan, and the motley race around them as the Hittites, the Hivites, and Jebusites, whom they are to drive out. But they have gone at it with other weapons than rams' horns, except as powder-flasks.

THE DISCOVERY OF SURGICAL ANESTHESIA

Own Accounts by

Dr. William T. G. Morton and Dr. Crawford H. Long

THE first of these articles is from "Memoranda Relating to the Discovery of Surgical Anesthesia and Dr. William T. G. Morton's Relations to this Event," written by his son, and printed in the "Post Graduate" for April, 1905.

It was while working with Dr. C. T. Jackson, who also claimed the honor of the discovery, which Dr. Oliver Wendell Holmes christened anesthesia, that Dr. Morton first used ether, or "letheon." Jackson subsequently accepted the Montyon prize of the French Academy, which Morton declined to share, the result being that in 1852 Morton received the large gold medal Montyon prize in medicine and surgery.

Later, (1861) Dr. Jackson authenticated the claims made by Dr. Long, of Georgia, as here set forth by Dr. Hugh H. Young, of Johns Hopkins, after an equally painstaking and impartial investigation. Dr. Long's statue, commemorating his achievement, was placed in the Hall of Fame in the rotunda of the Capitol at Washington, in March, 1926.

the subject, and finally began a series of experiments upon insects, fish, dogs, and lastly upon him-

IN November, 1844, Dr. Morton entered the Harvard Medical School in Boston in a regular course as a matriculate and attended lectures for two years, expecting soon to receive his full degree. While pursuing his studies and practicing dentistry at the same time as a means of earning the money necessary to continue them, his attention was drawn vividly to the pain attending certain severe dental operations. The suffering involved made a deep impression upon his mind and he set about to discover some means to alleviate it.

He read in his textbooks extensively upon

self. In his Memoir to the Academy of Arts and Sciences, at Paris, presented by M. Arago, in the autumn of 1847, he thus describes the experiment and his next almost immediate experiment upon a patient:

"Taking the tube and flask, I shut myself up in my room, seated myself in the operating chair, and commenced inhaling. I found the ether so strong that it partially suffocated me, but produced no decided effect. I then saturated my handkerchief and inhaled it from that. I looked at my watch, and soon lost consciousness. As I recovered, I felt a numbness in my limbs, with a sensation like nightmare, and would have given the world for some one to come and arouse me. I thought for a moment I should die in that state, and the world would only pity or ridicule my folly. At length I felt a slight tingling of the blood in the end of my third finger, and made an effort to touch it with my thumb, but without success. At a second effort, I touched it, but there seemed to be no sensation. I gradually raised my arm and pinched my thigh but I could see that sensation was imperfect. I attempted to rise from my chair, but fell back. Gradually I regained power over my limbs and found that I had been insensible between seven and eight minutes.

"Delighted with the success of this experiment, I immediately announced the result to the persons employed in my establishment, and waited impatiently for some one upon whom I could make a fuller trial. Toward evening, a man residing in Boston came in,

suffering great pain, and wishing to have a tooth extracted. He was afraid of the operation, and asked if he could be mesmerized. I told him I had something better, and saturating my handkerchief, gave it to him to inhale. He became unconscious almost immediately. It was dark, and Dr. Hayden held the lamp while I extracted a firmly-rooted bicuspid tooth. There was not much alteration in the pulse and no relaxing of the muscles. He recovered in a minute and knew nothing of what had been done for him. He remained for some time talking about the experiment. This was on the 30th of September, 1846."

The first public notice of this event, in the Boston "Daily Journal" of October 1, 1846, induced the eminent surgeon, Dr. Henry J. Bigelow, to visit Dr. Morton's office, and he was present at a large number of successful inhalations of ether vapor by the new method in which teeth were extracted without pain. Largely through his instrumentality, permission was secured from Dr. John C. Warren, senior surgeon of the Massachusetts General Hospital, and on October 16, 1846, at this hospital, occurred the first public demonstration of surgical anesthesia, in the presence of the surgical and medical staffs in an amphitheater crowded to overflowing with students and physicians.

IN 1896," states Dr. Hugh H. Young of Johns Hopkins, "documents placed in my hands—time-stained papers, case histories, account books, affidavits from patients, attendants, physicians in his town

(Jefferson) and elsewhere in Georgia—furnished overwhelming proof of the originality of Dr. Long's discovery and his successful employment of ether to produce complete anesthesia in numerous operations. . . . I found that the great Dr. Marion Sims had ardently asserted that Long undoubtedly had done the first operations under ether anesthesia—antedating the work of Dr. Morton at the Massachusetts General by four years. . . . Dr. Long, a graduate of the University of Pennsylvania, knowing the exhilarating properties of nitrous oxid and sulphuric ether, frequently furnished ether to young men who met at his office for an 'ether frolic' in the winter of 1841-42. In his own words:

" 'On numerous occasions I inhaled ether for its exhilarating properties, and would frequently, at some short time subsequent to its inhalation, discover bruised or painful spots on my person which I had no recollection of causing and which I felt satisfied were received while under the influence of ether. I noticed my friends, while etherized, received falls and blows which I believed were sufficient to produce pain on a person not in a state of anesthesia, and on questioning them they uniformly assured me that they did not feel the least pain from these accidents. Observing these facts, I was led to believe that anesthesia was produced by the inhalation of ether and that its use would be applicable in surgical operations.

" "The first patient to whom I administered ether in a surgical operation was James M. Venable, who then

resided within two miles of Jefferson. He consulted me on several occasions in regard to the propriety of removing two small tumors on the back part of his neck, but would postpone from time to time having the operation performed, from dread of pain. At length I mentioned to him the fact of my receiving bruises while under the influence of the vapor of ether without suffering and as I knew him to be fond of and accustomed to inhaling ether, I suggested to him the probability that the operation might be performed without pain. He consented to have one tumor removed, and the operation was performed the same evening. The ether was given on a towel, and when he was fully under its influence I extirpated the tumor.

“ ‘It was encysted and about half an inch in diameter. The patient continued to inhale ether during the time of the operation, and when informed it was over, seemed incredulous until the tumor was shown him. He gave no evidence of suffering during the operation, and assured me, after it was over, that he did not experience the least degree of pain from its performance. This operation was performed on the 30th of March, 1842.’ ”

REASONS FOR THE WAR WITH MEXICO

By President James K. Polk

THE reasons for the Mexican War given by President Polk, in this message to Congress (1846), do not cover the real grounds, which involved our relations with England over the Oregon boundary and a growing determination to conquer and annex California and New Mexico. Polk was an avowed expansionist. Few Presidents have met with such powerful opposition in Congress. Yet he completed the annexation of Texas, solved the Oregon problem, but without securing all the disputed territory, settled the long-standing tariff dispute between the South and North, and established a new treasury system which lasted until the Civil War.

John Slidell, whom he mentions here, had been sent to Mexico to negotiate the purchase of New Mexico and California. He failed. Meanwhile a small American army under General Zachary Taylor had occupied part of the territory claimed by Texas in 1845, and disputed by Mexico, whose forces attacked Taylor and started the war.

THE existing state of the relations between the United States and Mexico renders it proper that I should bring the subject to the consideration of Congress. In my message at the commencement of your present session the state of these relations, the causes which led to the suspension of diplomatic intercourse between the two countries in March, 1845, and the long-continued and unredressed wrongs and injuries committed by the Mexican Government on citizens of the United States in their persons and property were briefly set forth. . . .

Mr. Slidell arrived at Vera Cruz on the 30th of November [1845], and was courteously received by the authorities of that city. But the Government of Gen-

eral Herrera was then tottering to its fall. The revolutionary party had seized upon the Texas question to effect or hasten its overthrow. Its determination to restore friendly relations with the United States, and to receive our minister to negotiate for the settlement of this question, was violently assailed, and was made the great theme of denunciation against it. The Government of General Herrera, there is good reason to believe, was sincerely desirous to receive our minister; but it yielded to the storm raised by its enemies, and on the 21st of December refused to accredit Mr. Slidell upon the most frivolous pretexts. These are so fully and ably exposed in the note of Mr. Slidell of the 24th of December last to the Mexican Minister of Foreign Relations, herewith transmitted, that I deem it unnecessary to enter into further detail on this portion of the subject.

Five days after the date of Mr. Slidell's note General Herrera yielded the Government to General Paredes without a struggle, and on the 30th of December resigned the Presidency. This revolution was accomplished solely by the army, the people having taken little part in the contest; and thus the supreme power of Mexico passed into the hands of a military leader. . . .

Under the circumstances, Mr. Slidell, in obedience to my direction, addressed a note to the Mexican Minister of Foreign Relations, under date of the 1st of March last, asking to be received by that Government in the diplomatic character to which he had been ap-

pointed. This Minister in his reply, under date of the 12th of March, reiterated the arguments of his predecessor, and in terms that may be considered as giving just grounds of offense to the Government and people of the United States denied the application of Mr. Slidell. Nothing therefore remained for our envoy but to demand his passports and return to his own country.

Thus the Government of Mexico, though solemnly pledged by official acts in October last to receive and accredit an American envoy, violated their plighted faith and refused the offer of a peaceful adjustment of our difficulties. Not only was the offer rejected, but the indignity of its rejection was enhanced by the manifest breach of faith in refusing to admit the envoy who came because they had bound themselves to receive him. Nor can it be said that the offer was fruitless from the want of opportunity of discussing it; our envoy was present on their own soil. Nor can it be ascribed to a want of sufficient powers; our envoy had full powers to adjust every question of difference. Nor was there room for complaint that our propositions for settlement were unreasonable; permission was not even given our envoy to make any proposition whatever. Nor can it be objected that we, on our part, would not listen to any reasonable terms of their suggestion; the Mexican Government refused all negotiation, and have made no proposition of any kind.

In my message at the commencement of the present session I informed you that upon the earnest appeal

both of the Congress and Convention of Texas I had ordered an efficient military force to take a position "between the Nueces and the Del Norte." This had become necessary to meet a threatened invasion of Texas by the Mexican forces, for which extensive military preparations had been made. The invasion was threatened solely because Texas had determined, in accordance with a solemn resolution of the Congress of the United States, to annex herself to our Union, and under these circumstances it was plainly our duty to extend our protection over her citizens and soil.

This force was concentrated at Corpus Christi, and remained there until after I had received such information from Mexico as rendered it probable, if not certain, that the Mexican Government would refuse to receive our envoy.

Meantime Texas, by the final action of our Congress, had become an integral part of our Union. The Congress of Texas, by its act of December 19, 1836, had declared the Rio del Norte to be the boundary of that Republic. Its jurisdiction had been extended and exercised beyond the Nueces. The country between that river and the Del Norte had been represented in the Congress and in the Convention of Texas, had thus taken part in the act of annexation itself, and is now included within one of our Congressional districts. Our own Congress had, moreover, with great unanimity, by the act approved December 31, 1845, recognized the country beyond the Nueces as a part of

our territory by including it within our own revenue system, and a revenue officer to reside within that district has been appointed by and with the advice and consent of the Senate. It became, therefore, of urgent necessity to provide for the defense of that portion of our country. Accordingly, on the 13th of January last instructions were issued to the general in command of these troops [Zachary Taylor] to occupy the left bank of the Del Norte. This river, which is the southwestern boundary of the State of Texas, is an exposed frontier. . . .

The movement of the troops to the Del Norte was made by the commanding general under positive instructions to abstain from all aggressive acts toward Mexico or Mexican citizens and to regard the relations between that Republic and the United States as peaceful unless she should declare war or commit acts of hostility indicative of a state of war. He was specially directed to protect private property and respect personal rights.

The Army moved from Corpus Christi on the 11th of March, and on the 28th of that month arrived on the left bank of the Del Norte opposite to Matamoras, where it encamped on a commanding position, which has since been strengthened by the erection of field-works. A depot has also been established at Point Isabel, near the Brazos Santiago, 30 miles in rear of the encampment. The selection of his position was necessarily confided to the judgment of the general in command.

The Mexican forces at Matamoras assumed a bellig-

erent attitude, and on the 12th of April General Ampudia, then in command, notified General Taylor to break up his camp within twenty-four hours and to retire beyond the Nueces River, and in the event of his failure to comply with these demands announced that arms, and arms alone, must decide the question. But no open act of hostility was committed until the 24th of April. On that day General Arista, who had succeeded to the command of the Mexican forces, communicated to General Taylor that "he considered hostilities commenced and should prosecute them." A party of dragoons of 63 men and officers were on the same day dispatched from the American camp up the Rio del Norte, on its left bank, to ascertain whether the Mexican troops had crossed or were preparing to cross the river, "became engaged with a large body of these troops, and after a short affair, in which some 16 were killed and wounded, appear to have been surrounded and compelled to surrender."

The grievous wrongs perpetrated by Mexico upon our citizens throughout a long period of years remain unredressed, and solemn treaties pledging her public faith for this redress have been disregarded. A government either unable or unwilling to enforce the execution of such treaties fails to perform one of its plainest duties.

Our commerce with Mexico has been almost annihilated. It was formerly highly beneficial to both nations, but our merchants have been deterred from prosecuting it by the system of outrage and extortion which the Mexican authorities have pursued against

them, while their appeals through their own Government for indemnity have been made in vain. Our forbearance has gone to such an extreme as to be mistaken in its character. Had we acted with vigor in repelling the insults and redressing the injuries inflicted by Mexico at the commencement, we should doubtless have escaped all the difficulties in which we are now involved.

Instead of this, however, we have been exerting our best efforts to propitiate her good will. Upon the pretext that Texas, a nation as independent as herself, thought proper to unite its destinies with our own, she has affected to believe that we have severed her rightful territory, and in official proclamations and manifestoes has repeatedly threatened to make war upon us for the purpose of reconquering Texas. In the meantime we have tried every effort at reconciliation. The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon American soil. She has proclaimed that hostilities have commenced, and that the two nations are now at war.

As war exists, and, notwithstanding all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision the honor, the rights and the interests of our country.

WAR WITH MEXICO DECLARED

By James G. Blaine

BLAINE, from whose "Twenty Years in Congress" this account is taken, was graduating from Washington College, Pennsylvania, when the war between the United States and Mexico was victoriously concluded. It is of interest to note that his memorable volume of reminiscences appeared in 1884, following the assassination of President Garfield and Blaine's retirement as Secretary of State. This gave him the leisure necessary to authorship.

Blaine, who came near being a Republican President himself, shrewdly notes "the contrast between the boldness with which the Polk Administration had marched our army upon Mexico, and the prudence with which it had retreated from a contest with Great Britain" over Oregon territory, thereby exposing the Democrats to "merciless ridicule."

At Monterey, to which special reference is made, in September, 1846, 6,500 Americans, under General Taylor, defeated 10,000 Mexicans.

THE army of occupation in Texas, commanded by General Zachary Taylor, had, during the preceding winter, been moving westward with the view of encamping in the valley of the Rio Grande. On the 28th of March General Taylor took up his position on the banks of the river, opposite Matamoros, and strengthened himself by the erection of field-works. General Ampudia, in command of the Mexican army stationed at Matamoros, was highly excited by the arrival of the American army, and on the 12th of April notified General Taylor to

break up his camp within twenty-four hours, and to retire beyond the Nueces River. In the event of his failure to comply with these demands, Ampudia an-

nounced that "arms, and arms alone, must decide the question." According to the persistent claim of the Mexican Government, the Nueces River was the western boundary of Texas; and the territory between that river and the Rio Grande—a breadth of one hundred and fifty miles on the coast—was held by Mexico to be a part of her domain, and General Taylor consequently an invader of her soil. No reply was made to Ampudia; and on the 24th of April General Arista, who had succeeded to the command of the Mexican army, advised General Taylor that "he considered hostilities commenced, and should prosecute them."

Directly after this notification was received, General Taylor dispatched a party of dragoons, sixty-three in number, officers and men, up the valley of the Rio Grande, to ascertain whether the Mexicans had crossed the river. They encountered a force much larger than their own, and after a short engagement, in which some seventeen were killed and wounded, the Americans were surrounded, and compelled to surrender. When intelligence of this affair reached the United States, the war-spirit rose high among the people. "Our country has been invaded," and "American blood spilled on American soil," were the cries heard on every side.

In the very height of this first excitement, without waiting to know whether the Mexican Government would avow or disavow the hostile act, President Polk, on the 11th of May, sent a most aggressive message to

Congress, "invoking its prompt action to recognize the existence of war, and to place at the disposition of the Executive the means of prosecuting the contest with vigor, and thus hastening the restoration of peace." As soon as the message was read in the House, a bill was introduced authorizing the President to call out a force of fifty thousand men, and giving him all the requisite power to organize, arm and equip them. The preamble declared that "war existed by the act of Mexico," and this gave rise to an animated and somewhat angry discussion. The Whigs felt that they were placed in an embarrassing attitude. They must either vote for what they did not believe, or, by voting against the bill, incur the odium which always attaches to the party that fails by a hair's breadth to come to the defense of the country when war is imminent.

Prominent Whigs believed that, as an historical and geographical fact, the river Nueces was the western boundary of Texas, and that the President, by assuming the responsibility of sending an army of occupation into the country west of that river, pending negotiations with Mexico, had taken a hostile and indefensible step. But all agreed that it was too late to consider anything except the honor of the country, now that actual hostilities had begun. The position of the Whigs was as clearly defined by their speakers as was practicable in the brief space allowed for discussion of the war bill. Against the protest of many, it was forced to a vote, after a two hours' debate. The

administration expected the declaration to be unanimous; but there were fourteen members of the House who accepted the responsibility of defying the war feeling of the country by voting "no"—an act which required no small degree of moral courage and personal independence. John Quincy Adams headed the list. The other gentlemen were all Northern Whigs, or pronounced Free-Soilers.

The Senate considered the bill on the ensuing day, and passed it after a very able debate, in which Mr. Calhoun bore a leading part. He earnestly deprecated the necessity of the war, though accused by Benton, of plotting to bring it on. Forty Senators voted for it, and but two against it—Thomas Clayton, of Delaware, and John Davis, of Massachusetts. Mr. Crittenden, of Kentucky, and Mr. Upham, of Vermont, when their names were called, responded "Ay, except the preamble." The bill was promptly approved by the President, and on the 13th of May, 1846, the two Republics were declared to be at war. In the South and West, from the beginning, the war was popular. In the North and East it was unpopular. The gallant bearing of our army, however, changed in large degree the feeling in sections where the war had been opposed. No finer body of men ever enlisted in an heroic enterprise than those who volunteered to bear the flag in Mexico. They were young, ardent, enthusiastic, brave almost to recklessness, with a fervor of devotion to their country's honor. The march of Taylor from the Rio Grande, ending with the unex-

pected victory against superior numbers at Buena Vista, kept the country in a state of excitement and elation, and in the succeeding year elevated him to the Presidency. Not less splendid in its succession of victories was the march of Scott from Vera Cruz to the City of Mexico, where he closed his triumphal journey by taking possession of the capital, and enabling his government to dictate terms of peace.

For the first and only time in our political history, an administration conducting a war victorious at every step, steadily lost ground in the country. The House of Representatives which declared war on the 11th of May, 1846, was Democratic by a large majority. The House elected in the ensuing autumn amid the resounding acclamations of Taylor's memorable victory at Monterey had a decided Whig majority.

This political reverse was due to three causes—the enactment of the tariff of 1846, which offended the manufacturing interest of the country; the receding of the administration on the Oregon question, which embarrassed the position and wounded the pride of the Northern Democrats; and the wide-spread apprehension that the war was undertaken for the purpose of extending and perpetuating slavery. The almost unanimous Southern vote for the hasty surrender of the line of $54^{\circ} 40'$, on which so much had been staked in the Presidential campaign, gave the Whigs an advantage in the popular canvass. The contrast between the boldness with which the Polk Administration had marched our army upon the territory claimed

by Mexico, and the prudence with which it had retreated from a contest with Great Britain, after all our antecedent boasting, exposed the Democrats to merciless ridicule. Clever speakers, who were numerous in the Whig party at that day, did not fail to see and seize their advantage.

WILMOT DEFENDS HIS PROVISIO

By Representative David Wilmot

WILMOT was a Democratic Congressman from Pennsylvania, who approved an appropriation of \$2,000,000 to be used by the United States Government in satisfying Mexican claims to the disputed territory of New Mexico and California, provided "that neither slavery or involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted." This famous proviso, first introduced in 1846, was the bugle-call which aroused the North to the intention of the South to extend slavery beyond Texas.

Wilmot made this speech on February 8, 1847, when he again moved his proviso to a bill (appropriating \$3,000,000 instead of \$2,000,000), which was finally passed without the support of the Democratic Senate. Lincoln once declared that he had voted forty-two times, while in Congress, for the principle of the Wilmot proviso.

SIR, It will be recollected by all present, that, at the last session of Congress, an amendment was moved by me to a bill of the same character as this, in the form of a proviso, by which slavery should be excluded from any territory that might subsequently be acquired by the United States from the Republic of Mexico.

Sir, on that occasion, that proviso was sustained by a very decided majority of this House. Nay, sir, more, it was sustained, if I mistake not, by a majority of the Republican party on this floor. I am prepared, I

think, to show that the entire South were then willing to acquiesce in what appeared to be, and, in so far as the action of this House was concerned, what was the legislative will and declaration of the Union on this

subject. It passed this House. Sir, there were no threats of disunion sounded in our ears. It passed here and went to the Senate, and it was the judgment of the public, and of men well informed, that, had it not been defeated there for want of time, it would have passed that body and become the established law of the land. . . .

. . . There was then no cry that the Union was to be severed in consequence. The South, like brave men defeated, bowed to the voice and judgment of the nation. No, sir, no cry of disunion then. Why now? The hesitation and the wavering of northern men on this question has encouraged the South to assume a bolder attitude. This cry of disunion proceeds from no resolve of the South. It comes, sir, from the cowardice of the North. . . .

But, sir, the issue now presented is not whether slavery shall exist unmolested where it now is, but whether it shall be carried to new and distant regions, now free, where the footprint of a slave cannot be found. This, sir, is the issue. Upon it I take my stand, and from it I cannot be frightened or driven by idle charges of abolitionism. I ask not that slavery be abolished. I demand that this Government preserve the integrity of free territory against the aggressions of slavery—against its wrongful usurpations. Sir, I was in favor of the annexation of Texas. . . . The Democracy of the North, almost to a man, went for annexation. Yes, sir, here was an empire larger than France given up to slavery. Shall further con-

cessions be made by the North? Shall we give up free territory, the inheritance of free labor? Must we yield this also? Never, sir, never, until we ourselves are fit to be slaves. The North may be betrayed by her Representatives, but upon this great question she will be true to herself—true to posterity. Defeat! Sir, there can be no defeat. Defeat to-day will but arouse the teeming millions of the North, and lead to a more decisive and triumphant victory to-morrow.

But, sir, we are told, that the joint blood and treasure of the whole country being expended in this acquisition, therefore it should be divided, and slavery allowed to take its share. Sir, the South has her share already; the instalment for slavery was paid in advance. We are fighting this war for Texas and for the South. I affirm it—every intelligent man knows it—Texas is the primary cause of this war. For this, sir, northern treasure is being exhausted, and northern blood poured out upon the plains of Mexico. We are fighting this war cheerfully, not reluctantly—cheerfully fighting this war for Texas; and yet we seek not to change the character of her institutions. Slavery is there: there let it remain. . . .

Now, sir, we are told that California is ours; that New Mexico is ours—won by the valor of our arms. They are free. Shall they remain free? Shall these fair provinces be the inheritance and homes of the white labor of freemen or the black labor of slaves? This, sir, is the issue—this the question. The North has the right, and her representatives here have the

power. . . . But the South contend, that in their emigration to this free territory, they have the right to take and hold slaves, the same as other property. Unless the amendment I have offered be adopted, or other early legislation is had upon this subject, they will do so. Indeed, they unitedly, as one man, have declared their right and purpose so to do, and the work has already begun. Slavery follows in the rear of our armies. Shall the war power of our Government be exerted to produce such a result? Shall this Government depart from its neutrality on this question, and lend its power and influence to plant slavery in these territories? There is no question of abolition here, sir. Shall the South be permitted, by aggression, by invasion of the right, by subduing free territory, and planting slavery upon it, to wrest these provinces from northern freemen, and turn them to the accomplishment of their own sectional purposes and schemes? This is the question. Men of the North answer. Shall it be so? Shall we of the North submit to it? If we do, we are coward slaves, and deserve to have the manacles fastened upon our own limbs.

A CONTEMPORARY SENATORIAL OPPONENT OF THE WAR

By Senator Thomas Corwin

THIS arraignment of the Polk Administration for the war with Mexico was a notable oratorical effort of 1847, which gained Senator Corwin wide contemporary renown, but made him many enemies and damaged his political career. Nevertheless, after having served in Congress from 1830 to 1840, and a term as Governor of Ohio, he was in the United States Senate from 1844 to 1850, when he became Secretary of the Treasury in the Fillmore Cabinet.

Corwin was one of the most eloquent speakers of his time, and was equally celebrated as a lawyer and as a law-maker and administrator. As an orator he won his greatest distinction, his speeches both on the stump and in debate being examples, not only of eloquence but of resourcefulness and courage.

peace, and avoid the slaughter, the shame, the crime, of an aggressive, unprovoked war. But now you have overrun half of Mexico—you have exasperated and irritated her people—you claim indemnity for all expenses incurred in doing this mischief, and boldly ask her to give up New Mexico and California; and, as a bribe to her patriotism, seizing on her property,

MR. PRESIDENT, I . . . beg the indulgence of the Senate to some reflections on the particular bill now under consideration. I voted for a bill somewhat like the present at the last session—our army was then in the neighborhood of our line. I then hoped that the President did sincerely desire a peace. Our army had not then penetrated far into Mexico, and I did hope that, with the two millions then proposed, we might get

you offer three millions to pay the soldiers she has called out to repel your invasion, on condition that she will give up to you at least one-third of her whole territory. . . .

But, sir, let us see what, as the chairman of the Committee on Foreign Relations explains it, we are to get by the combined processes of conquest and treaty.

What is the territory, Mr. President, which you propose to wrest from Mexico? It is consecrated to the heart of the Mexican by many a well-fought battle with his old Castilian master. His Bunker Hills, and Saratogas, and Yorktowns, are there! The Mexican can say, "There I bled for liberty! and shall I surrender that consecrated home of my affections to the Anglo-Saxon invaders? What do they want with it? They have Texas already. They have possessed themselves of the territory between the Nueces and the Rio Grande. What else do they want? To what shall I point my children as memorials of that independence which I bequeath to them when those battle-fields shall have passed from my possession?"

Sir, had one come and demanded Bunker Hill of the people of Massachusetts, had England's Lion ever showed himself there, is there a man over thirteen and under ninety who would not have been ready to meet him? Is there a river on this continent that would not have run red with blood? Is there a field but would have been piled high with the unburied bones of slaughtered Americans before these consecrated battle-fields of liberty should have been wrested from us?

But this same American goes into a sister Republic and says to poor, weak Mexico, "Give up your territory, you are unworthy to possess it; I have got one-half already, and all I ask of you is to give up the other!" England might as well, in the circumstances I have described, have come and demanded of us, "Give up the Atlantic slope—give up this trifling territory from the Alleghany Mountains to the sea; it is only from Maine to St. Mary's—only about one-third of your Republic, and the least interesting portion of it." What would be the response? They would say, we must give this up to John Bull. Why? "He wants room." The Senator from Michigan says he must have this. Why, my worthy Christian brother, on what principle of justice? "I want room!"

Sir, look at this pretence of want of room. With twenty millions of people, you have about one thousand millions of acres of land, inviting settlement by every conceivable argument, bringing them down to a quarter of a dollar an acre, and allowing every man to squat where he pleases. But the Senator from Michigan says we will be two hundred millions in a few years, and we want room. If I were a Mexican I would tell you, "Have you not room in your own country to bury your dead men? If you come into mine, we will greet you with bloody hands, and welcome you to hospitable graves."

Why, says the chairman of this Committee on Foreign Relations, it is the most reasonable thing in the world! We ought to have the Bay of San Francisco.

Why? Because it is the best harbor on the Pacific! It has been my fortune, Mr. President, to have practised a good deal in criminal courts in the course of my life, but I never yet heard a thief, arraigned for stealing a horse, plead that it was the best horse that he could find in the country! We want California. What for? Why, says the Senator from Michigan, we will have it; and the Senator from South Carolina, with a very mistaken view, I think, of policy, says you can't keep our people from going there. I don't desire to prevent them. Let them go and seek their happiness in whatever country or clime it pleases them.

All I ask of them is not to require this Government to protect them with that banner consecrated to war waged for principles—eternal enduring truth. Sir, it is not meet that our old flag should throw its protecting folds over expeditions for lucre or for land. But you still say you want room for your people. This has been the plea of every robber chief from Nimrod to the present hour. . . .

THE CAPTURE OF CHAPULTEPEC AND MEXICO CITY

By General Winfield Scott

THIS is from Scott's official report, written at the National Palace in the City of Mexico, September 18, 1847. Scott, as related in Volume V, had emerged from the War of 1812 at the age of 28, the youngest General in the service.

In 1841 he became Commander-in-Chief and served as such in the Mexican War. After capturing Vera Cruz on March 26, 1847, Scott's army stormed the heights of Cerro Gordo on April 18, entered Puebla on May 15, was victorious at Contreras and Churubusco on August 19-20, and won the sharp and sanguinary battles of Molino del Rey and Chapultepec on the 8th. and 13th. of September respectively, entering Mexico City the following day. As a reward he was brevetted the first Lieutenant-General, U. S. A.

General William J. Worth, whom Scott honorably mentions, had been second in command at Monterey. General John A. Quitman, a native of Rhinebeck, N. Y., was afterward Governor of Mississippi.

AT the end of another series of arduous and brilliant operations, of more than forty-eight hours' continuance, this glorious army hoisted, on the morning of the 14th [September, 1847], the colors of the United States on the walls of this palace. . . .

This city stands upon a slight swell of ground, near the center of an irregular basin, and is girdled with a ditch in its greater extent—a navigable canal of great breadth and depth—very difficult to bridge in the presence of an enemy, and serving at once for drainage, custom-house

purposes and military defense; leaving eight entrances or gates over arches, each of which we found

defended by a system of strong works, that seemed to require nothing but some men and guns to be impregnable. . . .

Outside, and within the cross-fires of those gates, we found to the south other obstacles but little less formidable. All the approaches near the city are over causeways, cut in many places (to oppose us) and flanked on both sides by ditches, also, of unusual dimensions. The numerous cross-roads are flanked in like manner, having bridges at the intersections, recently broken. The meadows thus chequered, are, moreover, in many spots, under water, or marshy; for, it will be remembered, we were in the midst of the wet season, though with less rain than usual, and we could not wait for the fall of the neighboring lakes and the consequent drainage of the wet grounds at the edge of the city—the lowest in the whole basin.

After a close personal survey of the southern gates, covered by Pillow's division and Riley's brigade, and Twigg's, with four times our numbers concentrated in our immediate front, I determined, on the 11th, to avoid that network of obstacles, and to seek, by a sudden inversion to the southwest and west, less favorable approaches. . . .

The first step in the new movement was to carry Chapultepec, a natural and isolated mound, of great elevation, strongly fortified at its base, on its acclivities and heights. Besides a numerous garrison, here was the military college of the republic, with a large

number of sub-lieutenants and other students. Those works were within direct gunshot of the village of Tacubaya, and, until carried, we could not approach the city on the west without making a circuit too wide and too hazardous. . . .

The signal I had appointed for the attack was the momentary cessation of fire on the part of our heavy batteries. About eight o'clock in the morning of the 13th, judging that the time had arrived, by the effect of the missiles we had thrown, I sent an aide-de-camp to Pillow, and another to Quitman, with notice that the concerted signal was about to be given.

Both columns now advanced with an alacrity that gave assurance of prompt success. The batteries, seizing opportunities, threw shots and shells upon the enemy over the heads of our men, with good effect, particularly at every attempt to reinforce the works from without to meet our assault. . . .

The broken acclivity was still to be ascended, and a strong redoubt, midway, to be carried, before reaching the castle on the heights. The advance of our brave men, led by brave officers, though necessarily slow, was unwavering, over rocks, chasms and mines, and under the hottest fire of cannon and musketry. The redoubt now yielded to resistless valor, and the shouts that followed announced to the castle the fate that impended. The enemy were steadily driven from shelter to shelter. The retreat allowed not time to fire a single mine, without the certainty of blowing

up friend and foe. Those who at a distance attempted to apply matches to the long trains were shot down by our men. There was death below, as well as above, ground.

At length the ditch and wall of the main work were reached; the scaling-ladders were brought up and planted by the storming parties; some of the daring spirits first in the assault were cast down—killed or wounded; but a lodgment was soon made; streams of heroes followed; all opposition was overcome, and several of the regimental colors flung out from the upper walls, amid long-continued shouts and cheers, which sent dismay into the capital. No scene could have been more animating or glorious. . . . There are two routes from Chapultepec to the capital—the one on the right entering the same gate, Belén, with the road from the south via Piedad; and the other obliquing to the left, to intersect the great western or San Cosme road, in a suburb outside of the gate of San Cosme. . . .

At this junction of roads, we first passed one of the formidable systems of city defenses, and it had not a gun!—a strong proof: 1. That the enemy had expected us to fall in the attack upon Chapultepec, even if we meant anything more than a feint; 2. That, in either case, we designed, in his belief, to return and double our forces against the southern gates, a delusion kept up by the active demonstrations of Twiggs and the forces posted on that side; and 3. That advancing rapidly from the reduction of

Chapultepec, the enemy had not time to shift guns—our previous captures had left him, comparatively, but few—from the southern gates.

Within those disgarnished works I found our troops engaged in a street fight against the enemy posted in gardens, at windows, and on housetops—all flat, with parapets. Worth ordered forward the mountain-howitzers of Cadwalader's brigade, preceded by skirmishers and pioneers, with pickaxes and crow-bars, to force windows and doors, or to burrow through walls. The assailants were soon in an equality of position fatal to the enemy. By eight o'clock in the evening, Worth had carried two batteries in this suburb. According to my instructions, he here posted guards and sentinels, and placed his troops under shelter for the night. There was but one more obstacle—the San Cosme gate (custom-house). . . .

Quitman, within the city, adding several new defenses to the position he had won, and sheltering his corps as well as practicable, now awaited the return of daylight under the guns of the formidable citadel, yet to be subdued. . . .

At about 4 o'clock next morning (September 14) a deputation of the ayuntamiento (city council) waited upon me to report that the Federal Government and the army of Mexico had fled from the capital some three hours before, and to demand terms of capitulation in favor of the church, the citizens and the municipal authorities. I promptly replied, that I would sign no capitulation; that the city had

been virtually in our possession from the time of the lodgments effected by Worth and Quitman the day before; that I regretted the silent escape of the Mexican army; that I should levy upon the city a moderate contribution, for special purposes; and that the American army should come under no terms, not self-imposed—such only as its own honor, the dignity of the United States, and the spirit of the age should, in my opinion, imperiously demand and impose. . . .

At the termination of the interview with the city deputation, I communicated, about daylight, orders to Worth and Quitman to advance slowly and cautiously (to guard against treachery) toward the heart of the city, and to occupy its stronger and more commanding points. Quitman proceeded to the great plaza or square, planted guards, and hoisted the colors of the United States on the national palace—containing the halls of Congress and executive apartments of Federal Mexico.

Soon after we had entered, and were in the act of occupying the city, a fire was opened upon us from the flat roofs of the houses, from windows and corners of streets by some two thousand convicts, liberated the night before by the flying government—joined by, perhaps, as many Mexican soldiers, who had disbanded themselves and thrown off their uniforms. . . . Their objects were to gratify national hatred; and, in general alarm and confusion, to plunder the wealthy inhabitants—particularly the de-

sented homes. But families are now generally returning; business of every kind has been resumed, and the city is already tranquil and cheerful, under the admirable conduct (with exceptions very few and trifling) of our gallant troops. . . .

GRANT IN MEXICO

By Second-Lieutenant Ulysses Simpson Grant

GRADUATING from West point, in 1843, twenty-first in a class of thirty-nine, young Grant served under General Zachary Taylor at Palo Alto, Resaca de la Palma and at the capture of Monterey.

Under General Winfield Scott his bravery at Molino del Rey gained him a first-lieutenancy; and for his gallantry in action at the storming of Chapultepec, here described, he was brevetted captain, and was mentioned in several war department reports, among others in that of Major Robert E. Lee.

Major Lee, who had graduated from West Point fourteen years earlier than Grant, also distinguished himself at Chapultepec, being brevetted colonel.

and, placing the shafts against the wall and chocking the wheels so that the cart could not back, used the shafts as a sort of ladder extending to within three or four feet of the top. By this I climbed to the roof of the building, followed by a few men, but found a private soldier had preceded me by some other way. There were still quite a number of Mexicans on the roof, among them a major and five or six officers of lower grades, who had not succeeded in getting away before our troops occupied the build-

I WAS with the earliest troops to enter the Mills. In passing through to the north side, looking towards Chapultepec I happened to notice that there were armed Mexicans still on top of the building, only a few feet from many of our men. Not seeing any stairway or ladder reaching to the top of the building, I took a few soldiers, and had a cart that happened to be standing near brought up,

ing. They still had their arms, while the soldier before mentioned was walking as sentry, guarding the prisoners he had surrounded, all by himself. I halted the sentinel, received the swords from the commissioned officers, and proceeded, with the assistance of the soldiers now with me, to disable the muskets by striking them against the edge of the wall, and throwing them to the ground below. . . .

During the night of the 11th (September) batteries were established which could play upon the fortifications of Chapultepec. The bombardment commenced early in the morning of the 12th, but there was no further engagement during this day than that of the artillery. General Scott assigned the capture of Chapultepec to General Pillow, but did not leave the details to his judgment. Two assaulting columns, two hundred and fifty men each, composed of volunteers for the occasion, were formed. They were commanded by Captains McKinzie and Casey respectively. The assault was successful, but bloody. . . .

Worth's command gradually advanced to the front. . . . Later in the day in reconnoitering I found a church off to the south of the road, which looked to me as if the belfry would command the ground back of the garita San Cosme. I got an officer of the voltigeurs, with a mountain howitzer and men to work it, to go with me. The road being in possession of the enemy, we had to take the field to the south to reach the church. This took us over sev-

eral ditches breast deep in water and grown up with water plants. These ditches, however, were not over eight or ten feet in width. The howitzer was taken to pieces and carried by the men to its destination. When I knocked for admission a priest came to the door, who, while extremely polite, declined to admit us. With the little Spanish then at my command, I explained to him that he might save property by opening the door, and he certainly would save himself from becoming a prisoner, for a time at least; and besides, I intended to go in whether he consented or not. He began to see his duty in the same light that I did, and opened the door, though he did not look as if it gave him special pleasure to do so. The gun was carried to the belfry and put together. We were not more than two or three hundred yards from San Cosme. The shots from our little gun dropped in upon the enemy and created great confusion. Why they did not send out a small party and capture us, I do not know. We had no infantry or other defences besides our one gun.

The effect of this gun upon the troops about the gate of the city was so marked that General Worth saw it from his position. He was so pleased that he sent a staff officer, Lieutenant Pemberton . . . to bring me to him. He expressed his gratification at the services the howitzer in the church steeple was doing, saying that every shot was effective, and ordered a captain of voltigeurs to report to me with another howitzer to be placed along with the one

already rendering so much service. I could not tell the General that there was not room enough in the steeple for another gun, because he probably would have looked upon such a statement as a contradiction from a second lieutenant. I took the captain with me, but did not use his gun.

WHY THE WHOLE OF MEXICO WAS NOT ANNEXED

By President James K. Polk

[I]N all American history there are few such revelations of the inside workings of war and diplomacy as come to light in Polk's Diary, edited by George Bancroft, from which these extracts concerning Mexico are taken. Although Polk has been accused of forcing the war on Mexico for purposes of territorial aggrandizement, his Diary would indicate that but for his resistance to Buchanan and others in his Cabinet Mexico would have disappeared as a nation.

Polk appointed Nicholas P. Trist, whom he mentions here, a special agent to negotiate for peace, and Polk named the terms, but without notifying General Scott. On the arrival of Trist in Mexico a violent quarrel ensued between him and Scott, and his authority was revoked. After the capture of Mexico City, Trist was advised by Scott, now mollified, to resume peace negotiations; and the Treaty of Guadalupe Hidalgo resulted.

I SAID [September 4, 1847] that I would be unwilling to pay the sum which Mr. Trist had been authorized to pay, in the settlement of a boundary by which it was contemplated that the United States would acquire New Mexico and the Californias; and that if Mexico continued obstinately to refuse to treat, I was decidedly in favor of insisting on more territory than the provinces named. I expressed the opinion further that as our expenses had been greatly enlarged by the obstinacy of Mexico, in refusing to negotiate,

since Mr. Trist's instructions were prepared in April last, if a treaty had not been made when we next

heard from Mexico, that his instructions should be modified. . . .

September 7.—The distinct question submitted was whether the amount which Mr. Trist had been authorized to pay for the cession of New Mexico and the Californias, and right of passage through the Isthmus of Tehuantepec should not be reduced, and whether we should not now demand more territory than we now did. All seemed to agree that the maximum sum to be paid for the cessions above described should be reduced. Mr. Buchanan suggested that this sum should be reduced from 30 to 15 millions, and that the cession of the right of passage through the Isthmus of lower, as well as upper California and New Mexico should be made a "sine qua non." He suggested also that the line should run on the parallel of 31° or $31^{\circ}.30'$ of North Latitude from the Rio Grande to the Gulf of California, instead of on the parallel of 32° which Mr. Trist had been authorized to accept. Upon the question of acquiring more territory than this, there was some difference of opinion. The Secretary of the Treasury and the Attorney General were in favor of acquiring in addition the Department or State of Tamaulipas which includes the port of Tampico. The Postmaster General and the Secretary of the Navy concurred with him. I expressed myself as being entirely agreed to reduce the sum to be paid from 30 to 15 millions and to modify the line as suggested by Mr. Buchanan. I declared myself as being in favor of acquiring the

cession of the Department of Tamaulipas, if it should be found practicable. . . .

November 9.—Mr. Buchanan spoke to-day in an unsettled tone, and said I must take one of two courses in my next message: viz. to designate the part of Mexican territory which we intended to hold as an indemnity, or to occupy all Mexico by a largely increased force and subdue the country and promise protection to the inhabitants. He said he would express no opinion between these two plans; but after the despatches which were expected from the army were received he would do so. I remarked that I thought our policy had been settled upon sometime since, but as the subject was now brought up as one that was still open, I would read what I had written on the subject, and I did so. My views as thus reduced to writing were in substance that we would continue the prosecution of the war with an increased force, hold all the country we had conquered, or might conquer, and levy contributions upon the enemy to support the war, until a just peace was obtained, that we must have indemnity in territory, and that as a part indemnity, the Californias and New Mexico should under no circumstances be restored to Mexico, but that they should henceforward be considered a part of the United States and permanent territorial governments be established over them; and that if Mexico protracted the war additional territory must be acquired as further indemnity.

His change of opinion will not alter my views; I am fixed in my course, and I think all the Cabinet except Mr. Buchanan still concur with me, and he may yet do so. . . .

November 18.—I requested Mr. Buchanan to prepare a paragraph for the message to the effect that failing to obtain a peace, we should continue to occupy Mexico with our troops, and encourage and protect the friends of peace in Mexico to establish and maintain a republican government, able and willing to make peace.

In Mr. Buchanan's draft, he stated in that event that "we must fulfill that destiny which Providence may have in store for both countries."

I thought this would be too indefinite and that it would be avoiding my constitutional responsibility. I preferred to state in substance that we should, in that event, take the measure of our indemnity into our own hands and dictate our own terms to Mexico. . . .

November 23.—Mr. Buchanan still preferred his own draft, and so did Mr. Walker, the latter avowing as a reason that he was for taking the whole of Mexico, if necessary, and he thought the construction placed upon Mr. Buchanan's draft by a large majority of the people would be that it looked to that object.

I replied that I was not prepared to go to that extent, and furthermore, that I did not desire that anything I said in the message should be so obscure as to give rise to doubt or discussion as to what my true

meaning was; that I had in my last message declared that I did not contemplate the conquest of Mexico, and that in another part of this paper I had said the same thing. . . .

February 21 [1848].—I announced to the Cabinet that under all the circumstances of the case I would submit it to the Senate for ratification, with a recommendation to strike out the tenth article. I assigned my reasons for this decision. They were, briefly, that the treaty conformed on the main question of limits and boundary to the instructions given Mr. Trist in April last, and that though if the treaty was now to be made I should demand more territory, perhaps, to make the Sierra Madre the line, yet it was doubtful whether this could be ever obtained by the consent of Mexico. I looked to the consequences of its rejection. A majority of one branch of Congress was opposed to my Administration; they have falsely charged that the war was brought on and is continued by me with a view to the conquest of Mexico, and if I were now to reject a treaty made upon my own terms, as authorized in April last, with the unanimous approbation of the Cabinet, the probability is that Congress would not grant either men or money to prosecute the war. Should this be the result, the army now in Mexico would be constantly wasting and diminishing in numbers, and I might at last be compelled to withdraw them, and then lose the two provinces of New Mexico and Upper California, which were ceded to the U. S. by this treaty.

Should the opponents of my Administration succeed in carrying the next Presidential election, the great probability is that the country would lose all the advantages secured by this treaty. I adverted to the immense value of Upper California, and concluded by saying that if I were now to reject my own terms as offered in April last I did not see how it was possible for my Administration to be sustained. . . .

THE MORMON EXODUS TO UTAH

By Brigham H. Roberts

THE author of this account of the Mormon exodus from Nauvoo, Illinois, is the official historian of the Church of Latter-Day Saints. He was editor-in-chief of the Salt Lake "Herald," and in 1898 was elected to Congress. His election greatly agitated the country, and in 1900 the House of Representatives voted him constitutionally ineligible, as a polygamist, to a seat in that body.

The organization of the Mormon exodus was in many respects remarkable. A pioneer company was sent ahead as a path-finder. Nauvoo was turned into a vast wagon shop. Way stations were established, with repair shops, and a flour mill. The company here described, numbering 1,553 persons, with 566 wagons, followed the Oregon trail from Fort Laramie over the Great Divide to Fort Bridger, thence southwest to the present site of Salt Lake City, which was reached on July 23, 1847.

the Lord" upon the march of the Camps of Israel to the West. . . .

After the revelation was received and announced to the Saints, preparations were made both for the formation of the pioneer company and companies

THE serious business of preparing for the continuation of the march into the wilderness, the completion of the exodus from the United States, was not neglected. It was considered in many council meetings of the presiding authorities, it was the chief topic of conversation and of discussion wherever two or three were gathered together. Thought upon it finally so crystallized in the mind of Brigham Young that on the 14th of January, 1847, at Winter Quarters, he was prepared to announce "The Word and Will of

to follow immediately on its trail. Word was sent to the various encampments naming the men whom President Young desired to go with him in the first pioneer company and those who were to take the lead in organizing the other companies to follow. . . .

Fort Laramie was situated about two miles from the South bank of the Platte, on the left bank of the Laramie River and about a mile and a half from its confluence with the Platte. . . .

On the 12th of June the main company of the Pioneers arrived at the Platte ferry, to find that their advanced company was employed in ferrying over the Oregon emigrants, carrying their goods over in the "Revenue Cutter"—their leather boat, floating over the empty wagons by means of ropes; but the stream was so swift and deep that the wagons would roll over several times in transit in spite of all efforts to prevent it. Ordinarily the Platte was fordable at this point, but this was the season of high water. The brethren received for ferrying over the Oregon emigrants "1,295 lbs. of flour, at the rate of two and a half cents per pound; also meal, beans, soap and honey at corresponding prices, likewise two cows, total bill for ferrying \$78.00." . . .

The Pioneer company remained five days at the Platte crossing. They made various experiments in ferrying over their wagons, first stretching a rope across the stream and trying to float single empty wagons over attached to the aforesaid overstream rope, and drawn by other ropes; but the current, deep

and swift, rolled them over and over as if they were logs, much to the injury of the wagons. Then the experiment was made of fastening from two to four wagons together to prevent capsizing in transit, but the mad stream would roll them over in spite of all the ingenuity and care of the men. The small rafts were tried with a single wagon, but the difficulty of polling a raft in water so deep and swift was so great that frequently they would be swept down from one to two miles, though the stream was not more than from forty to fifty rods wide. The plan that proved the most successful was to use a raft,—of which two were made—constructed with oars, well manned, with which a landing with a single wagon could be effected in about half a mile. In this way wagons even partly loaded could be ferried over, but most of the goods of the camp were carried across in the leather boat—the “Revenue Cutter.” . . .

Their course now followed up the Sweet Water River, which they forded back and forth several times—to the South Pass, along the Oregon route. They were in frequent contact with companies of Oregon emigrants, and occasionally met companies of traders, trappers and mountaineers moving eastward. Near the South Pass, for instance, at which the company arrived on the 26th of June, they met a number of men from the Oregon settlements, led to this point by one Major Moses Harris, who had been a mountaineer for twenty or twenty-five years. He had extensive knowledge of the country from the Rocky Mountains

to the Pacific. "We obtained much information from him in relation to the great interior basin of the Salt Lake," says Orson Pratt, "the country of our destination. His report like that of Captain Frémont's is rather unfavorable to the formation of a colony in this basin, principally on account of scarcity of timber." . . .

At Green River ferry the Pioneers remained until the 3rd of July, detained by the necessity of making rafts with which to effect the crossing of that stream as its waters were high. The camp moved three miles from the ferry down the right bank and there spent the Fourth of July—"Independence Day," some of them noted in their Journals, also "the Lord's Day." At this encampment it was decided that a few of the Pioneers should return eastward to meet the large emigrating companies of Saints now enroute from Winter Quarters, and act as their guides to Green River. . . .

At this point the Pioneer company left the Oregon road taking Mr. Hasting's new route to the Bay of San Francisco, journalizes Orson Pratt, "this route is but dimly seen as only a few wagons passed over it last season." "We took a blind trail," is Erastus Snow's account of the departure from Fort Brigadier, "the general course of which is a little south of west, leading in the direction of the southern extremity of the Salt Lake, which is the region we wish to explore. Fortunately for us a party of emigrants bound for the coast of California passed this way last fall,

though their trail is in many places, scarcely discernible." . . .

From the arrival of the camp at Green River, various members had suffered from what they called "mountain fever." At the camp on Bear River President Young himself was severely stricken with the malady. The main encampment moved westward, but eight wagons and a number of leading brethren remained at Bear River with the President, expecting to follow in a few hours. Closing his journal entry for the day's march, Orson Pratt rather sadly says—"Mr. Young did not overtake us to-night." His next day's entry in the Journal begins—"Early this morning we dispatched two messengers back to meet Mr. Young, being unwilling to move any farther until he should come up." These messengers were Joseph Mathews and John Brown. They found President Young had been too ill to move, but was improving. . . .

The journey was resumed, following Reed's route up a small stream, a company of about a dozen men going in advance of the wagons with spades, axes, etc., "to make the road passable, which required considerable labor." The camp moved about eight and a half miles during the day, their road in the last two miles of the journey leaving the small stream up which they had traveled to cross a ridge into another ravine in which they camped. They spent some four hours in labor with picks and spades on the latter part of the road. After an encampment was made,

Orson Pratt and a Mr. Newman went further down the road to examine it. "We found that Mr. Reed's company last season," journalizes Orson Pratt, "had spent several hours labor in spading, etc., but finding it almost impracticable for wagons they had turned up a ravine at the mouth of which we had camped, and taken a little more circuitous route over the hills." On the morning of the 17th after examining the road over which they had passed the day before for some distance back, and satisfying himself that no more practical route could be found, Elder Pratt directed that the camp spend several hours labor on the road over which they had already passed before resuming their march. . . .

Soon after sunrise of the 19th the two pioneers of this advance company, Orson Pratt and John Brown, started along the route of last year's emigrants to examine the road and country ahead. They continued along the road over which they had passed the day before and ascertained that it left Cannon Creek near the point where they had turned back to camp, and followed a ravine running west. This they ascended for four miles when they came to a dividing ridge from which they "could see over a great extent of country." Here they tied their horses and on foot ascended a mountain on the right for several hundred feet. "On the south west we could see an extensive level prairie some few miles distant which we thought must be near the lake." It was; and this is the first view any of the Pioneers had of Salt Lake Valley. . . .

Accordingly on the morning of the 21st Erastus Snow, mounted, rode alone over Pratt's route of the day before and overtook him on the afternoon of the 21st. Leaving the camp to proceed with their task of improving the road down Emigration Cañon, Elders Pratt and Snow proceeded down the cañon "four and a half miles," where the creek passes through a small cañon "and issues into the broad valley below." "To avoid the cañon," says Orson Pratt, "the wagons last season had passed over an exceedingly steep and dangerous hill." . . .

The two pioneers descended the butte at the mouth of the canyon and proceeded over the gentle declivity of the east slopes of the valley to a point on one of the several streams that enter from the east range of mountains, where tall canes were growing, "which looked like waving grain." The course they had followed bore a little southwestward, and on reaching the stream—since called Mill Creek—on the banks of which the canes grew—they remembered that the instructions of President Young had been to turn to the north on emerging from the valley and there plant their seeds. Accordingly they turned northward from the point they had reached and came to what was called afterwards and is now City Creek—on both sides of which Salt Lake city soon afterwards began to rise. It was a hot day that 21st of July when those two pioneers entered Salt Lake Valley. On the 23rd Orson Pratt reports the thermometer as standing at 96 degrees. It must have been about the same on the



THE MORMON TEMPLE, IN SALT LAKE CITY, UTAH, WAS BEGUN IN 1853 AND COMPLETED IN 1893, AT A COST OF \$4,000,000. IT IS 186½ FEET LONG, 99 FEET WIDE AND ITS TOWERS ARE 150 FEET HIGH

21st. The two Pioneers had but one horse between them so that they walked and rode by turns. A few miles from the mouth of the cañon Erastus Snow discovered he had lost his coat, having taken it off and thrown it loosely before him on the saddle from which it had slipped to the ground. This occasioned his return over their trail to find it, and meanwhile Orson Pratt walked northward alone until he arrived at the beautiful crystal stream that issued from the ravine leading down from the distant pineclad mountains to the northeast; and thus became the first of the Pioneers to stand upon the present site of Salt Lake City. . . .

The following day [July 24th, 1847] President Brigham Young, with the main body of the Pioneers, entered the valley. He was resting in a carriage driven by Elder Wilford Woodruff, and as they emerged from the cañon and pulled up into a ridge President Young, who was ill, requested Elder Woodruff to turn his carriage around so that he could look upon the valley. This was done, and President Young gazed in silence for a few moments. Then with an expression of satisfaction, he said, "This is the place, drive on." They entered into the valley and camped with the members who had preceded them. They had found the promised land a resting place for their weary feet, where they could fulfill the predictions of the Prophet Joseph Smith, and become a mighty people in the midst of the Rocky Mountains.

THE DISCOVERY OF GOLD IN CALIFORNIA

By *Walter Colton*

IN his journal of events that transpired while he was Alcalde of Monterey, California, during 1846-7-8, entitled "Three Years in California," Colton records nothing more dramatic or interesting than the discovery of gold at Sutter's Mill, near Coloma, in 1848. Strangely enough, the epoch-making event, which gave an impetus to immigration from all parts of the globe, brought nothing but disaster to John Augustus Sutter, the Swiss immigrant, on whose property the first nuggets were found. Gold-seekers preempted his lands, and except an annual pension of \$3,000 granted him by the California Legislature, he received practically nothing.

The great body of gold-seekers, "the Argonauts," arrived in 1849, during which year the population of California increased 100,000. Colton, as Alcalde, or Mayor, of Monterey, was in an admirable position to observe every phase of the phenomenon that attended the discovery, of which he gives this fascinating account.

A STRAGGLER came in to-day [Monday, June 12, 1848] from the American Fork, bringing a piece of yellow ore weighing an ounce. The young dashed the dirt from their eyes, and the old from their spectacles. One brought a spyglass, another an iron ladle; some wanted to melt it, others to hammer it, and a few were satisfied with smelling it. All were full of tests; and many, who could not be gratified in making their experiments, declared it a humbug. One lady sent me a huge gold ring, in the hope of reaching the truth by comparison; while a gentleman placed the speci-

men on the top of his gold-headed cane and held it up, challenging the sharpest eyes to detect a dif-

ference. But doubts still hovered on the minds of the great mass. They could not conceive that such a treasure could have lain there so long undiscovered. The idea seemed to convict them of stupidity. There is nothing of which a man is more tenacious than his claims to sagacity. He sticks to them like an old bachelor to the idea of his personal attractions, or a toper to the strength of his temperance ability, whenever he shall wish to call it into play. . . .

Tuesday, June 20. My messenger sent to the mines, has returned with specimens of the gold; he dismounted in a sea of upturned faces. As he drew forth the yellow lumps from his pockets, and passed them around among the eager crowd, the doubts which had lingered till now, fled. All admitted they were gold, except one old man, who still persisted they were some Yankee invention, got up to reconcile the people to the change of flag. The excitement produced was intense; and many were soon busy in their hasty preparations for a departure to the mines. The family who had kept house for me caught the moving infection. Husband and wife were both packing up; the blacksmith dropped his hammer, the carpenter his plane, the mason his trowel, the farmer his sickle, the baker his loaf, and the tapster his bottle. All were off for the mines, some on horses, some on carts, and some on crutches, and one went in a litter. An American woman, who had recently established a boarding-house here, pulled up stakes, and was off before her lodgers had even time to pay

their bills. Debtors ran, of course. I have only a community of women left, and a gang of prisoners, with here and there a soldier, who will give his captain the slip at the first chance. I don't blame the fellow a whit; seven dollars a month, while others are making two or three hundred a day! that is too much for human nature to stand.

Saturday, July 15. The gold fever has reached every servant in Monterey; none are to be trusted in their engagement beyond a week, and as for compulsion, it is like attempting to drive fish into a net with the ocean before them. General Mason, Lieutenant Lanman, and myself, form a mess; we have a house, and all the table furniture and culinary apparatus requisite; but our servants have run, one after another, till we are almost in despair: even Sambo, who we thought would stick by from laziness, if no other cause, ran last night; and this morning, for the fortieth time, we had to take to the kitchen, and cook our own breakfast. A general of the United States Army, the commander of a man-of-war, and the Alcalde of Monterey, in a smoking kitchen, grinding coffee, toasting a herring, and peeling onions! These gold mines are going to upset all the domestic arrangements of society, turning the head to the tail, and the tail to the head. Well, it is an ill wind that blows nobody any good: the nabobs have had their time, and now comes that of the "niggers." We shall all live just as long, and be quite as fit to die.

Tuesday, July 18. Another bag of gold from the mines, and another spasm in the community. It was brought down by a sailor from Yuba river, and contains a hundred and thirty-six ounces. It is the most beautiful gold that has appeared in the market; it looks like the yellow scales of the dolphin, passing through his rainbow hues at death. My carpenters, at work on the school-house, on seeing it, threw down their saws and planes, shouldered their picks, and are off for the Yuba. Three seamen ran from the "Warren," forfeiting their four years' pay; and a whole platoon of soldiers from the fort left only their colors behind. One old woman declared she would never again break an egg or kill a chicken, without examining yolk and gizzard.

Monday, Oct. 2. I went among the gold-diggers; found half a dozen at the bottom of the ravine, tearing up the bogs, and up to their knees in mud. Beneath these bogs lay a bed of clay sprinkled in spots with gold. These deposits, and the earth mixed with them, were shovelled into bowls, taken to a pool near by, and washed out. The bowl, in working, is held in both hands, whirled violently back and forth through half a circle, and pitched this way and that sufficiently to throw off the earth and water, while the gold settles to the bottom. The process is extremely laborious, and taxes the entire muscles of the frame. In its effect it is more like swinging a scythe than any work I ever attempted.

Not having much relish for the bogs and mud, I procured a light crowbar and went to splitting the slaterocks which project into the ravine. I found between the layers, which were not perfectly closed, particles of gold, resembling in shape the small and delicate scales of a fish. These were easily scraped from the slate by a hunter's knife, and readily separated in the washbowl from other foreign substances. . . .

There are about seventy persons at work in this ravine, and all within a few yards of each other. They average about one ounce per diem each. They who get less are discontented, and they who get more are not satisfied. Every day brings in some fresh report of richer discoveries in some quarter not far remote, and the diggers are consequently kept in a state of feverish excitement. One woman, a Sonoranian, who was washing here, finding at the bottom of her bowl only the amount of half a dollar or so, hurled it back again into the water, and straightening herself up to her full height, strode off with the indignant air of one who feels himself insulted. . . .

Wednesday, Oct. 4. Our camping-ground is in a broad ravine through which a rivulet wanders, and which is dotted with the frequent tents of gold-diggers. The sounds of the crowbar and pick, as they shake or shiver the rock, are echoed from a thousand cliffs; while the hum of human voices rolls off on the breeze to mingle with the barking of wolves. . . .

The provisions with which we left San José are gone, and we have been obliged to supply ourselves here. We pay at the rate of four hundred dollars a barrel for flour; four dollars a pound for poor brown sugar, and four dollars a pound for indifferent coffee. And as for meat, there is none to be got except jerked-beef, which is the flesh of the bullock cut into strings and hung up in the sun to dry, and which has about as much juice in it as a strip of bark dangling in the wind from a dead tree. . . .

Friday, Oct. 6. The most efficient gold-washer here is the cradle, which resembles in shape that appendage of the nursery, from which it takes its name. It is nine or ten feet long, open at one end and closed at the other. At the end which is closed, a sheet-iron pan, four inches deep, and sixteen over, and perforated in the bottom with holes, is let in even with the sides of the cradle. The earth is thrown into the pan, water turned on it, and the cradle, which is on an inclined plane, set in motion. The earth and water pass through the pan, and then down the cradle, while the gold, owing to its specific gravity, is caught by cleats fastened across the bottom. Very little escapes; it generally lodges before it reaches the last cleat. It requires four or five men to supply the earth and water to work such a machine to advantage. The quantity of gold washed out must depend on the relative proportion of gold in the earth. The one worked in this ravine yields a hundred dollars a day; but this is considered a slender result. Most of the diggers

use the bowl or pan; its lightness never embarrasses their roving habits; and it can be put in motion wherever they find a stream or spring. It can be purchased now in the mines for five or six dollars; a few months since it cost an ounce—sixteen dollars for a wooden bowl! . . .

Wednesday, Oct. 11. It is near sunset, and the gold-diggers are returning from their labors, each one bearing on his head a brush-heap, with which he will kindle his evening fire. Their wild halloos, as they come in, fill the cliffs with their echoes. All are merry, whatever may have been the fortunes of the day with them. Not one among the whole can anticipate a more luxurious supper than a cake baked in the ashes, with a cup of coffee and a bit of jerked-beef, except in the case of a new-comer, who had brought with him a few pounds of buckwheat flour; he can have a pancake, that is, if he has anything with which to grease his pan, which is extremely doubtful. There is not a bottle of liquor in the ravine, and every one must, perforce, turn in sober. Every streamlet preaches temperance, and the wind-stirred pine sings its soft eulogy on the charmed air. . . .

Monday, Oct. 16. I encountered this morning, in the person of a Welshman, a pretty marked specimen of the gold-digger. He stood some six feet eight in his shoes, with giant limbs and frame. A leather strap fastened his coarse trousers above the hips, and confined the flowing bunt of his flannel shirt. A broad-rimmed hat sheltered his brown features, while

his unshorn beard and hair flowed in tangled confusion to his waist. To his back was lashed a blanket and bag of provisions; on one shoulder rested a huge crowbar, to which were hung a gold-washer and skillet: on the other rested a rifle, a spade, and pick, from which dangled a cup and pair of heavy shoes. He recognized me at once as the magistrate who had once arrested him for a breach of the peace. "Well, Señor Alcalde," said he, "I am glad to see you in these diggings. You had some trouble with me in Monterey; I was on a burster, you did your duty, and I respect you for it; and now let me settle the difference between us with a bit of gold: it shall be the first I strike under this bog." I told him there was no difference between us; that I knew at the time it was rum which had raised the rumpus. But before I had finished my disclaiming speech, his traps were on the ground, and his heavy pick was tearing up bog after bog from the snarl in which it had struck its tangling roots. These removed, he struck a layer of clay; "Here she comes!" he ejaculated, and turned out a piece of gold that would weigh an ounce or more. "There," he said, "Señor Alcalde, accept that; and when you reach home, where I hope you will find all well, have a bracelet made of it for your good lady." . . .

VICISSITUDES OF A FORTY-NINER

By *Alonzo Delano*

TAKEN from Delano's "Life on the Plains and Among the Diggings" (1854), this is a true and valuable record of the hardships endured on the overland journey across the plains in 1849, and of the trials, failures and successes of the "Argonauts," especially in the smaller mining camps. During that memorable year it is estimated that more than 60,000 emigrants journeyed to California by land and 30,000 or more by sea.

The majority of the former gathered from May to June of each year at Independence or St. Joseph, Missouri, at that time on the frontier of civilization, and then proceeded to Sacramento in long caravans, continually harassed by the Indians and subjected to fatigue, exposure and starvation. The first emigrant train reached Sacramento in August, 1849, and others followed in quick succession.

ing as soon as our cattle had eaten their fill, when a drive of a mile placed us upon the great thoroughfare of the gold seekers.

For miles, to the extent of vision, an animated mass of beings broke upon our view. Long trains of wagons

OUR general rendezvous was to be at St. Joseph, on the Missouri, from which we intended to take our departure. I had engaged men, purchased cattle and a wagon, and subsequently laid in my supplies for the trip, at St. Louis. My wagon I shipped by water to St. Joseph, and sent my cattle across the country about the middle of March, [1849] to meet me at the place of rendezvous, in April. . . .

[May 21.] Our desire to be upon the road induced us to be stirring early, and we were mov-

with their white covers were moving slowly along, a multitude of horsemen were prancing on the road, companies of men were traveling on foot, and although the scene was not a gorgeous one, yet the display of banners from many wagons, and the multitude of armed men, looked as if a mighty army was on its march; and in a few moments we took our station in the line, a component part of the motley throng of gold seekers, who were leaving home and friends far behind, to encounter the peril of mountain and plain. . . .

[June 29.] On leaving the Missouri, nearly every train was an organized company, with general regulations for mutual safety, and with a captain chosen by themselves, as a nominal head. On reaching the South Pass, we found that the great majority had either divided, or broken up entirely, making independent and helter-skelter marches towards California. . . .

[August 10.] Reports began to reach us of hard roads ahead; that there was no grass at the Sink, or place where the river disappears in the sands of the desert, and that from that place a desert of sand, with water but once in forty-five miles, had to be crossed. In our worn-out condition this looked discouraging, and it was with a kind of dread that we looked to the passage of that sandy plain. At the same time an indefinite tale was circulated among the emigrants, that a new road had been discovered, by which the Sacramento might be reached in a shorter distance,

avoiding altogether the dread desert; and that there was plenty of grass and water on the route. . . .

[August 11.] . . . There were a great many men daily passing, who, having worn down their cattle and mules, had abandoned their wagons, and were trying to get through as they might; but their woe-begone countenances and meagre accoutrements for such a journey, with want and excessive labor staring them in the face, excited our pity, wretched as we felt ourselves. Our own cattle had been prudently driven, and were still in good condition to perform the journey. Although our stock of provisions was getting low, we felt that under any circumstances we could get through, and notwithstanding we felt anxious, we were not discouraged. . . .

[August 15.] . . . It was decided, finally, that we would go the northern route, although some of our company had misgivings. The younger portion being fond of adventure, were loud in favor of the road. . . .

[August 16.] . . . Beyond us, far as we could see, was a barren waste, without a blade of grass or a drop of water for thirty miles at least. Instead of avoiding the desert, instead of the promised water, grass, and a better road, we were in fact upon a more dreary and wider waste, without either grass or water, and with a harder road before us. . . .

[August 17.] As I walked on slowly and with effort, I encountered a great many animals, perishing for want of food and water, on the desert plain. Some would be just gasping for breath, others unable to

stand, would issue low moans as I came up, in a most distressing manner, showing intense agony; and still others, unable to walk, seemed to brace themselves up on their legs to prevent falling, while here and there a poor ox, or horse, just able to drag himself along, would stagger towards me with a low sound, as if begging for a drop of water. My sympathies were excited at their sufferings, yet, instead of affording them aid, I was a subject for relief myself.

High above the plain, in the direction of our road, a black, bare mountain reared its head, at the distance of fifteen miles; and ten miles this side the plains was flat, composed of baked earth, without a sign of vegetation, and in many places covered with incrustations of salt. Pits had been sunk in moist places, but the water was salt as brine, and utterly useless. . . .

The train had passed me in the night, and our cattle traveled steadily without faltering, reaching the spring about nine o'clock in the morning, after traveling nearly forty hours without food or water. If ever a cup of coffee and slice of bacon was relished by man, it was by me that morning, on arriving at the encampment a little after ten.

We found this to be an oasis in the desert. A large hot spring, nearly three rods in diameter, and very deep, irrigated about twenty acres of ground—the water cooling as it ran off. . . .

[August 20.] . . . Through the day there was a constant arrival of wagons, and by night there were several hundred men together; yet we learned by a

mule train that at least one hundred and fifty wagons had turned back to the first spring west of the Humboldt, on learning the dangers of crossing the desert, taking wisely the old road again. This change of route, however, did not continue long, and the rear trains, comprising a large portion of the emigration, took our route, and suffered even worse than we did. It was resolved that several trains should always travel within supporting distance of each other, so that in case of an attack from the Indians, a sufficient body of men should be together to protect themselves. . . . Reports again reached us corroborating the great loss of cattle on the desert beyond the Sink. The road was filled with dead animals, and the offensive effluvia had produced much sickness; but shortly afterward, our own portion of the desert presented the same catastrophe, and the road was lined with the dead bodies of wornout and starved animals, and their debilitated masters, in many cases, were left to struggle on foot, combating hunger, thirst and fatigue, in a desperate exertion to get through. . . .

[September 17.] . . . Ascending to the top of an inclined plain, the long-sought, the long-wished-for and welcome valley of the Sacramento, lay before me, five or six miles distant. . . .

In May, 1850, a report reached the settlements that a wonderful lake had been discovered, an hundred miles back among the mountains, towards the head of the Middle Fork of Feather River, the shores of which abounded with gold, and to such an extent that

it lay like pebbles on the beach. An extraordinary ferment among the people ensued, and a grand rush was made from the towns, in search of this splendid El Dorado. Stores were left to take care of themselves, business of all kinds was dropped, mules were suddenly bought up at exorbitant prices, and crowds started off to search for the golden lake.

Days passed away, when at length adventurers began to return, with disappointed looks, and their worn out and dilapidated garments showed that they had "seen some service," and it proved that, though several lakes had been discovered, the Gold Lake "par excellence" was not found. The mountains swarmed with men, exhausted and worn out with toil and hunger; mules were starved, or killed by falling from precipices. Still the search was continued over snow forty or fifty feet deep, till the highest ridge of the Si erra was passed, when the disappointed crowds began to return, without getting a glimpse of the grand "desideratum," having had their labor for their pains. Yet this sally was not without some practical and beneficial results. The country was more perfectly explored, some rich diggings were found, and, as usual, a few among the many were benefited. A new field for enterprise was opened, and within a month, roads were made and traversed by wagons, trading posts were established, and a new mining country was opened, which really proved in the main to be rich, and had it not been for the gold-lake fever, it might

have remained many months undiscovered and unoccupied. . . .

From the mouth of Nelson's Creek to its source, men were at work in digging. Sometimes the stream was turned from its bed, and the channel worked; in other places, wing dams were thrown out, and the bed partially worked; while in some, the banks only were dug. Some of these, as is the case everywhere in the mines, paid well, some, fair wages, while many were failures. One evening, while waiting for my second supply of goods, I strolled by a deserted camp. I was attracted to the ruins of a shanty by observing the effigy of a man standing upright in an old, torn shirt, a pair of ragged pantaloons, and boots which looked as if they had been clambering over rocks since they were made—in short, the image represented a lean, meager, worn-out and woe-begone miner, such as might daily be seen at almost every point in the upper mines. On the shirt was inscribed, in a good business hand, "My claim failed—will you pay the taxes?" (an allusion to the tax on foreigners.) Appended to the figure was a paper, bearing the following words: "Californians—Oh, Californians, look at me! once fat and saucy as a privateersman, but now—look ye—a miserable skeleton. In a word, I am a used up man. . . ."

Ludicrous as it may appear, it was a truthful commentary on the efforts of hundreds of poor fellows in the "golden land." This company had penetrated the mountain snows with infinite labor, in the early part



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of the season, enduring hardships of no ordinary character—had patiently toiled for weeks, living on the coarsest fare; had spent time and money in building a dam and digging a race through rocks to drain off the water; endured wet and cold, in the chilling atmosphere of the country, and when the last stone was turned, at the very close of all this labor, they did not find a single cent to reward them for their toil and privations, and what was still more aggravating, a small, wing dam, on the very claim below them, yielded several thousand dollars. Having paid out their money, and lost their labor, they were compelled to abandon the claim, and search for other diggings, where the result might be precisely the same. . . .

The population of Independence represented almost every State in the Union, while France, England, Ireland, Germany and even Bohemia had their delegates. As soon as breakfast was dispatched, all hands were engaged in digging and washing gold in the banks, or in the bed of the stream. When evening came, large fires were built, around which the miners congregated, some engrossed with thoughts of home and friends, some to talk of new discoveries, and richer diggings somewhere else; or, sometimes a subject of debate was started, and the evening was whiled away in pleasant, and often instructive, discussion, while many, for whom this kind of recreation had not excitement enough, resorted to dealing monte, on a small scale, thus either exciting or keeping up a passion for play. Some weeks were passed in this way under the

clear blue sky of the mountains, and many had made respectable piles. I highly enjoyed the wild scenery, and, quite as well, the wild life we were leading, for there were many accomplished and intelligent men; and a subject for amusement or debate was rarely wanting. As for ceremony or dress, it gave us no trouble: we were all alike. . . . At length a monte dealer arrived, with a respectable bank.

A change had been gradually coming over many of our people, and for three or four days several industrious men had commenced drinking, and after the monte bank was set up, it seemed as if the long smothered fire burst forth into a flame. Labor, with few exceptions, seemed suspended, and a great many miners spent their time in riot and debauchery. . . . The monte dealer, who, in his way was a gentleman, and honorable according to the notions of that class of men, won in two nights three thousand dollars! When he had collected his taxes on our bar, he went to Onion Valley, six miles distant, and lost in one night four thousand, exemplifying the fact, that a gambler may be rich to-day, and a beggar to-morrow. . . .

THE CLAY COMPROMISE

By Henry Clay

ALARMED at the fierce display of sectional feeling over slavery, Clay introduced, January 29, his famous series of resolutions known as the Compromise of 1850. His proposals were attacked both by the Southern advocates of slavery and by the more extreme anti-slavery element of the North.

After weeks of heated debate, including Calhoun's last speech and Webster's famous "seventh of March speech," the whole matter was referred to a committee of thirteen, from which committee Clay reported three bills on May 8. The first provided for the debt and boundary line of Texas, for granting statehood to California, with its anti-slavery Constitution, and for the Territorial organization of New Mexico and Utah, with slavery permitted. The second provided for a modified fugitive-slave law; the third for the abolition of slave-trading in the District of Columbia.

Clay's plan eventually became law, although divided into several statutes.

MR. PRESIDENT, I hold in my hand a series of resolutions which I desire to submit to the consideration of this body. Taken together, in combination, they propose an amicable arrangement of all questions in controversy between the free and the slave States, growing out of the subject of slavery. It is not my intention, Mr. President, at this time, to enter into a full and elaborate discussion of each of these resolutions, taken separately, or the whole of them combined together, as composing a system of measures; but I desire to present a few

observations upon each resolution, with the purpose chiefly of exposing it fairly and fully before the Senate and before the country; and I may add, with the in-

dulgence of the Senate, toward the conclusion, some general observations upon the state of the country, and the condition of the questions to which the resolutions relate. Whether they shall or shall not meet with the approbation and concurrence of the Senate, as I most ardently hope they may, as I most sincerely believe they ought, I trust that at least some portion of the long time which I have devoted with care and deliberation, to the preparation of these resolutions, and to the presentation of this great national scheme of compromise and harmony, will be employed by each Senator before he pronounces against the propositions embraced in these resolutions. The resolutions, sir, are all preceded by a short preamble, to which, of course, I attach no very great importance. The preamble and first resolution are as follows:

"It being desirable for the peace, concord, and harmony of the Union of these States to settle and adjust amicably all existing questions of controversy between them arising out of the institution of slavery, upon a fair, equitable and just basis. Therefore

"1st. Resolved, That California, with suitable boundaries, ought, upon her application, to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries."

Mr. President, it must be acknowledged that there has been some irregularity in the movements which have terminated in the adoption of a constitution by

California, and in the expression of her wish, not yet formally communicated to Congress it is true, but which may be anticipated in a few days, to be admitted into the Union as a state. There has been some irregularity in the manner in which they have framed that constitution. It was not preceded by any act of Congress authorizing the Convention and designating the boundaries of the proposed State, according to all the early practice of this Government, according to all the cases of the admission of new States into this Union, which occurred, I think, prior to that of Michigan. Michigan, if I am not mistaken, was the first State which, unbidden, unauthorized by any previous act of Congress, undertook to form for herself a constitution, and to knock at the door of Congress for admission into the Union. I recollect that at the time when Michigan thus presented herself, I was opposed, in consequence of that deviation from the early practice of the Government, to the admission. The majority determined otherwise; and it must be in candor admitted by all men that California had much more reason to do what she has done, unsanctioned and unauthorized by a previous act of Congress, than Michigan had to do what she did.

Sir, notwithstanding the irregularity of the admission of Michigan into the Union, it has been a happy event. She forms now one of the bright stars of this glorious Confederacy. She has sent here to mingle in our councils senators and representatives—men eminently distinguished, with whom we may all associate

with pride, with pleasure, and with satisfaction. And I trust that if California, irregular as her previous action may have been in the adoption of a constitution, but more justifiable than was the action of Michigan—if she also shall be admitted, as is proposed by the first resolution, with suitable limits, that she too, will make her contribution of wisdom, of patriotism, and of good feeling to this body, in order to conduct the affairs of this great and boundless empire.

The resolution proposes her admission when she applies for it. There is no intention on my part to anticipate such an application, but I thought it right to present this resolution as a part of the general plan which I propose for the adjustment of these unhappy difficulties.

The second resolution, sir, is as follows:

“2d. Resolved, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the Republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into or exclusion from any part of the said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.”

This resolution, sir, proposes, in the first instance, a declaration of two truths, one of law and the other of fact. The truth of law which it declares is that there

does not exist at this time slavery within any portion of the territory acquired by the United States from Mexico. When I say, sir, it is a truth, I speak my own solemn and deliberate conviction. I am aware that some gentlemen have held a different doctrine; but I persuade myself that they themselves, when they come to review the whole ground, will see sufficient reasons for a change, or at least a modification of their opinions; but that, at all events, if they adhere to that doctrine, they will be found to compose a very small minority of the whole mass of the people of the United States.

The next truth which the resolution asserts is that slavery is not likely to be introduced into any portion of that territory. That is a matter of fact; and all the evidence upon which the fact rests is, perhaps, as accessible to other Senators as it is to me; but I must say that, from all I have heard or read, from the testimony of all the witnesses I have seen and conversed with, from all that has transpired and is transpiring, I do believe that not within one foot of the territory acquired by us from Mexico will slavery ever be planted, and I believe it could not be done even by the force and power of public authority.

Sir, facts are daily occurring to justify me in this opinion. Sir, what has occurred? And upon that subject, and indeed upon this whole subject, I invite Senators from the free States especially to consider what has occurred even since the last session—even since the commencement of this session—since they

left their respective constituencies without an opportunity of consulting with them upon that great and momentous fact—the fact that California herself, of which it was asserted and predicted that she never would establish slavery within her limits when she came to be admitted as a State; that California herself, embracing, of all other portions of the country acquired by us from Mexico, that country into which it would have been most likely that slavery should have been introduced; that California herself has met in convention, and by a unanimous vote, embracing in that body slaveholders from the State of Mississippi, as well as from other parts, who concurred in the resolution—that California by a unanimous vote, has declared against the introduction of slavery within her limits. I think, then, that taking this leading fact in connection with all the evidence we have from other sources on the subject, I am warranted in the conclusion which constitutes the second truth which I have stated in this resolution, that slavery is “not likely to be introduced into any of the territory acquired by us from Mexico.”

Sir, the latter part of the resolution asserts that it is the duty of Congress to establish appropriate territorial governments within all the country acquired from Mexico, exclusive of California, not embracing in the acts by which these governments shall be constituted either a prohibition or admission of slavery.

Sir, much as I am disposed to defer to high authority, anxious as I really am to find myself in a position

that would enable me to co-operate heartily with the other departments of the government in conducting the affairs of this great people, I must say that I can not without a dereliction of duty consent to an abandonment of them without government, leaving them to all those scenes of disorder, confusion and anarchy which I apprehend, in respect of some of them, there is too much reason to anticipate will arise. It is the duty, the solemn—I was going to add the most sacred—duty of Congress to legislate for their government, if they can, and, at all events, to legislate for them, and to give them the benefit of law, and order and security.

The next resolutions are the third and fourth, which, having an immediate connection with each other, should be read and considered together. They are as follows:

“3d. Resolved, That the western boundary of the State of Texas ought to be fixed on the Rio del Norte, commencing one marine league from its mouth, and running up that river to the southern line of New Mexico; thence with that line eastwardly, and so continuing in the same direction to the line established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.”

“4th. Resolved, That it be proposed to the State of Texas, that the United States will provide for the payment of all that portion of the legitimate and bona fide public debt of that State, contracted prior to its annex-

ation to the United States, and for which the duties on foreign imports were pledged by the said State to its creditors, not exceeding the sum of \$——, in consideration of the said dues so pledged having been no longer applicable to that object after the said annexation, but having thenceforward become payable to the United States; and upon the condition also, that the said State of Texas shall by some solemn and authentic act of her legislature, or of a convention, relinquish to the United States any claim which it has to any part of New Mexico."

Mr. President, I do not mean now, I do not know that I shall at any time (it is a very complex subject, and one not free from difficulty) to go into the question of what are the true limits of Texas. My own opinion is, I must say, without intending by the remark to go into any argument, that Texas has not a good title to any portion of what is called New Mexico. And yet, sir, I am free to admit that, looking at the grounds which her representatives assumed, first in the war with Santa Anna in 1836, then at what transpired between Mr. Trist and the Mexican negotiators when the treaty of peace was negotiated, and then the fact that the United States have acquired all the country which Texas claimed as constituting a portion of her territory; looking at all these facts, but without attaching to them, either together or separately, the same degree of force which gentlemen who think that Texas has a right to New Mexico do, I must say that there is plausibility, to say the least of it, in the pre-

tensions that she sets up to New Mexico. I do not think that they constitute or demonstrate the existence of a good title, but a plausible one. Well, then, sir, what do I propose? Without entering into any inquiry whether the Nueces or the Rio Grande was the true boundary of Texas, I propose, by the first of these two resolutions, that its western limits shall be fixed on the Rio del Norte, extending west from the Sabine to the mouth of the Rio del Norte, and that it shall follow up the Bravo or the Rio del Norte, to where it strikes the southern line of New Mexico, and then, diverging from that line, follow on in that direction until it reaches the line as fixed by the United States and Spain, by their treaty of 1819; and thus embracing a vast country, abundantly competent to form two or three States—a country which I think the highest ambition of her greatest men ought to be satisfied with as a State and member of this Union.

But, sir, the second of these resolutions makes a proposition to the State of Texas upon which I desire to say a few words. It proposes that the Government of the United States will provide for the payment of all that portion of the debt of Texas for which the duties received upon imports from foreign countries were pledged by Texas at a time when she had authority to make pledges. How much it will amount to I have endeavored to ascertain, but all the means requisite to the ascertainment of the sum have not been received, and it is not very essential at this time, because it is the principle and not the amount that is

most worthy of consideration. Now, sir, the ground upon which I base this liability on the part of the United States to pay a specified portion of the debt of Texas is not new to me. It is one which I have again and again announced to be an opinion entertained by me. I think it is founded upon principles of truth and eternal justice. Texas, being an independent power, recognized as such by all the great powers of the earth, invited loans to be made to her, to enable her to prosecute the then existing war between her and Mexico. She told those whom she invited to make these loans, that "if you make them, the duties on foreign imports shall be sacredly pledged for the reimbursement of the loans." The loans were made. The money was received, and expended in the establishment of her liberty and her independence. After all this, she annexed herself to the United States, who thenceforward acquired the right to the identical pledge which she had made to the public creditor to satisfy the loan of money which he had advanced to her. The United States became the owners of that pledge, and the recipient of all the duties payable in the ports of Texas.

Now, sir, I do say that, in my humble judgment, if there be honor, or justice, or truth among men, we do owe to the creditors who thus advanced their money upon that pledge, the reimbursement of the money, at all events to the extent that the pledged fund which have reimbursed it, if it had never been appropriated by us to our use. We must recollect, sir,

that in relation to that pledge, and to the loan made in virtue and on the faith of it, there were three parties bound—I mean after annexation—the United States, Texas, and the creditor of Texas, who had advanced his money on the faith of a solemn pledge made by Texas.

Texas and the United States might do what they thought proper; but in justice they could do nothing to deprive the creditor of a full reliance upon the pledge upon the faith of which he had advanced his money. Sir, it is impossible now to ascertain how much would have been received from that source of revenue by the State of Texas, if she had remained independent. It would be most unjust to go there now and examine at Galveston and her other ports, to ascertain how much she now receives by her foreign imports; because, by being incorporated into this Union, all her supplies, which formerly were received from foreign countries, and subject—many of them at least—to import duties, are now received by the coasting trade, instead of being received from other countries, as they would have been, if she had remained independent. Considering the extent of her territory, and the rapid manner in which her population is increasing, and is likely to increase, it is probable that in the course of a few years there might have been such an amount received at the various ports of Texas—she remaining independent—as would have been adequate to the extinction of the debt to which I have referred.

But, sir, it is not merely in the discharge of what I consider to be a valid and legitimate obligation resting upon the United States to discharge the specified duty, it is not upon that condition alone that this payment is proposed to be made; it is also upon the further condition that Texas shall relinquish to the United States any claim that she has to any portion of New Mexico. Now, sir, although, as I believe, she has not a valid title to any portion of New Mexico, she has a claim; and for the sake of that general quiet and harmony, for the sake of that accommodation, which ought to be as much the object of legislation as it is of individuals in their transactions in private life, we may do now what an individual in analogous circumstances might do—give something for the relinquishment of a claim, although it should not be well founded, for the sake of peace. It is, therefore, proposed—and this resolution does propose—that we shall pay the amount of the debt contracted by Texas prior to its annexation to the United States, in consideration of our reception of the duties applicable to the extinction of that debt; and that Texas shall also, in consideration of a sum to be advanced, relinquish any claim which she has to any portion of New Mexico.

The fifth resolution, sir, and the sixth, like the third and fourth, are somewhat connected together. They are as follows:

“5th. Resolved, That it is inexpedient to abolish slavery in the District of Columbia, while that institution continues to exist in the State of Maryland, with-

out the consent of that State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.

"6th. But Resolved, That it is expedient to prohibit within the District the slave-trade, in slaves brought into it from States or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets, without the District of Columbia."

The first of these resolutions, Mr. President, in somewhat different language, asserts substantially no other principle than that which was asserted by the Senate of the United States twelve years ago, upon the resolutions which I then offered, and which passed—at least the particular resolution passed—by a majority of four-fifths of the Senate. I allude to the resolution presented by me in 1838. I shall not enlarge on that resolution; it speaks for itself; it declares that the institution of slavery should not be abolished in the District of Columbia without the concurrence of three conditions; first, the assent of Maryland; second, the assent of the people within the District; and third, compensation to the owners of the slaves within the District for their property.

The next resolution proposed deserves a passing remark. It is that the slave-trade within the District ought to be abolished, prohibited. I do not mean by that the alienation and transfer of slaves from the inhabitants within this District—the sale by one neighbor to another of a slave which the one owns and the

other wants, that a husband may perhaps be put along with his wife, or a wife with her husband. I do not mean to touch at all the question of the right of property in slaves among persons living within the District; but the slave-trade to which I refer was, I think, pronounced an abomination more than forty years ago, by one of the most gifted and distinguished sons of Virginia, the late Mr. Randolph. And who is there who is not shocked at its enormity? Sir, it is a great mistake at the North, if they suppose that gentlemen living in the slave States look upon one who is a regular trader in slaves with any particular favor or kindness. They are often—sometimes unjustly, perhaps—excluded from social intercourse. I have known some memorable instances of this sort. But, then, what is this trade? It is a good deal limited since the retrocession of that portion of the District formerly belonging to Virginia. There are Alexandria, Richmond, Petersburg, and Norfolk, south of the Potomac, and Baltimore, Annapolis, and perhaps other ports, north of the Potomac. Let the slave-dealer, who chooses to collect his slaves in Virginia and Maryland, go to these places; let him not come here and establish his jails, and put on his chains, and sometimes shock the sensibilities of our nature by a long train of slaves passing through that avenue leading from this Capitol to the house of the Chief Magistrate of one of the most glorious Republics that ever existed. Why should he not do it? Sir, I am sure I speak the sentiments of every Southern man, and

every man coming from the slave States, when I say let it terminate, and that it is an abomination; and there is no occasion for it; it ought no longer to be tolerated.

The seventh resolution relates to a subject embraced in a bill now under consideration by the Senate. It is as follows:

"7th. Resolved, That more effectual provision ought to be made by law, according to the requirement of the Constitution, for the restitution and delivery of persons bound to service or labor in any State who may escape into any other State or Territory in the Union."

Sir, that is so evident, and has been so clearly shown by the debate which has already taken place on the subject, that I have not now occasion to add another word.

The last resolution of the series of eight is as follows:

"And 8th. Resolved, That Congress has no power to prohibit or obstruct the trade in slaves between the slaveholding States; but that the admission or exclusion of slaves brought from one into another of them, depends exclusively upon their own particular laws."

It is obvious that no legislation is necessary or intended to follow that resolution. It merely asserts a truth established by the highest authority of law in this country, and, in conformity with that decision, I trust there will be one universal acquiescence.

I should not have thought it necessary to embrace in that resolution the declaration which is embraced in it, but that I thought it might be useful in treating of the whole subject, and in accordance with the practice of our British and American ancestors occasionally to resort to great fundamental principles, and bring them freshly and manifestly before our eyes, from time to time, to avoid their being violated upon any occasion.

Mr. President, you have before you the whole series of resolutions, the whole scheme of arrangement and accommodation of these distracting questions, which I have to offer, after having bestowed on these subjects the most anxious, intensely anxious, consideration ever since I have been in this body. How far it may prove acceptable to both or either of the parties on these great questions, it is not for me to say. I think it ought to be acceptable to both. There is no sacrifice of any principle, proposed in any of them, by either party. The plan is founded upon mutual forbearance, originating in a spirit of reconciliation and concession; not of principles, but of matters of feeling. At the North, sir, I know that from feeling, by many at least cherished as being dictated by considerations of humanity and philanthropy, there exists a sentiment adverse to the institution of slavery.

Sir, I might, I think—although I believe this project contains about an equal amount of concession and forbearance on both sides—have asked from the free States of the North a more liberal and extensive con-

cession than should be asked from the slave States. And why, sir? With you, gentlemen Senators of the free States, what is it? An abstraction, a sentiment—a sentiment, if you please, of humanity and philanthropy—a noble sentiment, when directed rightly, with no sinister or party purposes; an atrocious sentiment—a detestable sentiment—or rather the abuse of it—when directed to the accomplishment of unworthy purposes. I said that I might ask from you larger and more expensive concessions than from the slave States. And why? You are numerically more powerful than the slave States. Not that there is any difference—for upon that subject I can not go along with the ardent expression of feeling by some of my friends coming from the same class of States from which I come—not that there is any difference in valor, in prowess, in noble and patriotic daring, whenever it is required for the safety and salvation of the country, between the people of one class of States and those of the other. You are, in point of numbers, however, greater; and greatness and magnanimity should ever be allied.

But there are other reasons why concession upon such a subject as this should be more liberal, more expansive, coming from the free than from the slave States. It is, as I remarked, a sentiment, a sentiment of humanity and philanthropy on your side. Ay, sir, and when a sentiment of that kind is honestly and earnestly cherished, with a disposition to make sacrifices to enforce it, it is a noble and beautiful senti-

ment; but, sir, when the sacrifice is not to be made by those who cherish that sentiment and inculcate it, but by another people, in whose situation it is impossible, from their position, to sympathize and to share all and every thing that belongs to them, I must say to you, Senators from the free States, it is a totally different question. On your side it is a sentiment without sacrifice, a sentiment without danger, a sentiment without hazard, without peril, without loss. But how is it on the other side, to which, as I have said, a greater amount of concession ought to be made in any scheme of compromise?

In the first place, sir, there is a vast and incalculable amount of property to be sacrificed, and to be sacrificed, not by your sharing in the common burdens, but exclusive of you. And this is not all. The social intercourse, habit, safety, property, life, every thing is at hazard, in a greater or less degree, in the slave States.

Sir, look at the storm which is now raging before you, beating in all its rage pitilessly on your family. They are in the South. But where are your families, where are your people, Senators from the free States? They are safely housed, enjoying all the blessings of domestic comfort, peace, and quiet, in the bosoms of their own families.

Behold, Mr. President, that dwelling-house now wrapped in flames. Listen, sir, to the rafters and beams which fall in succession, amid the crash; and the flames ascending higher and higher as they tumble

down. Behold those women and children who are flying from the calamitous scene, and with their shrieks and lamentations imploring the aid of high Heaven. Whose house is that? Whose wives and children are they? Yours in the free States? No. You are looking on in safety and security, while the conflagration which I have described is raging in the slave States, and produced, not intentionally, by you, but produced from the inevitable tendency of the measures which you have adopted, and which others have carried far beyond what you have wished.

In the one scale, then, we behold sentiment, sentiment, sentiment alone; in the other property, the social fabric, life, and all that makes life desirable and happy.

But, sir, I find myself engaged much beyond what I intended, when I came this morning from my lodgings, in the exposition with which I intended these resolutions should go forth to the consideration of the world. I can not omit, however, before I conclude, relating an incident, a thrilling incident, which occurred prior to my leaving my lodgings this morning.

A man came to my room—the same at whose instance, a few days ago, I presented a memorial calling upon Congress for the purchase of Mount Vernon for the use of the public—and, without being at all aware of what purpose I entertained in the discharge of my public duty to-day, he said to me: “Mr. Clay, I heard you make a remark the other day which induces me to suppose that a precious relic in my pos-

session would be acceptable to you." He then drew out of his pocket, and presented to me the object which I now hold in my hand. And what, Mr. President, do you suppose it is? It is a fragment of the coffin of Washington—a fragment of that coffin in which now repose in silence, in sleep, and speechless, all the earthly remains of the venerated Father of his country. Was it portentous that it should have been thus presented to me? Was it a sad presage of what might happen to that fabric which Washington's virtue, patriotism and valor established? No, sir, no. It was a warning voice, coming from the grave to the Congress now in session to beware, to pause, to reflect, before they lend themselves to any purposes which shall destroy that Union which was cemented by his exertions and example. Sir, I hope an impression may be made on your mind such as that which was made on mine by the reception of this precious relic.

And, in conclusion, I now ask every Senator, I entreat you, gentlemen, in fairness and candor, to examine the plan of accommodation which this series of resolutions proposes, and not to pronounce against them until convinced after a thorough examination. I move that the resolutions be read and received.

THREAT OF CIVIL WAR

By Senator Daniel Webster

WEBSTER, at sixty-eight, made this famous "seventh of March speech" on the Compromise Measures of 1850. Delivered in the United States Senate, it was his last great speech and one of the most notable of his life. It rebukes the North for agitating the slavery question and for violating the Fugitive Slave Law, and advocates concessions to the South.

The speech aroused general indignation in the North, bringing upon Webster an avalanche of criticism from the anti-slavery people. They charged him with truckling to the South in order to gain support in his candidacy for President. Nevertheless, the speech is, on the whole, in harmony with his earlier utterances; for the burden of his argument always was "liberty and union," and he considered a compromise necessary to preserve the Union.

is it not so with respect to Texas? Why, it is most manifestly so. . . .

But now that, under certain conditions, Texas is in, with all her territories, as a slave State, with a solemn pledge that if she is divided into many States, those States may come in as slave States south of 36° 30', how are we to deal with this subject? I know no way

I NOW say, sir, as the proposition upon which I stand this day, and upon the truth and firmness of which I intend to act until it is overthrown, that there is not, at this moment, within the United States, or any territory of the United States, a single foot of land, the character of which, in regard to its being free-soil territory or slave territory, is not fixed by some law, and some irrepealable law, beyond the power of the action of this Government. Now,

of honorable legislation, when the proper time comes for the enactment, but to carry into effect all that we have stipulated to do. . . .

Now, as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas—I mean the law of nature—of physical geography—the law of the formation of the earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California or New Mexico. . . . I look upon it, therefore, as a fixed fact, to use an expression current at this day, that both California and New Mexico are destined to be free, so far as they are settled at all, which I believe, especially in regard to New Mexico, will be very little for a great length of time—free by the arrangement of things by the Power above us. I have therefore to say, in this respect also, that this country is fixed for freedom, to as many persons as shall ever live there, by as irrevocable and a more irrevocable law, than the law that attaches to the right of holding slaves in Texas; and I will say further, that if a resolution, or a law, were now before us, to provide a territorial government for New Mexico, I would not vote to put any prohibition into it whatever. The use of such a prohibition would be idle, as it respects any effect it would have upon the territory; and I would not take pains to reaffirm an ordinance of nature, nor to reenact the will of God. And I would put in no Wilmot proviso, for the purpose of a taunt or a

reproach. I would put into it no evidence of the votes of superior power, to wound the pride, even whether a just pride, a rational pride, or an irrational pride—to wound the pride of the gentlemen who belong to the southern States. . . .

Mr. President, in the excited times in which we live, there is found to exist a state of crimination and re-crimination between the North and the South. . . . I will state these complaints, especially one complaint of the South, which has in my opinion just foundation; and that is, that there has been found at the North, among individuals and among the Legislatures of the North, a disinclination to perform, fully, their constitutional duties, in regard to the return of persons bound to service, who have escaped into the free States. In that respect, it is my judgment that the South is right, and the North is wrong. Every member of every northern Legislature is bound, by oath, like every other officer in the country, to support the Constitution of the United States; and this article of the Constitution, which says to these States, they shall deliver up fugitives from service, is as binding in honor and conscience as any other article. . . . I put it to all the sober and sound minds at the North, as a question of morals and a question of conscience, What right have they, in all their legislative capacity, or any other, to endeavor to get round this Constitution, to embarrass the free exercise or the rights secured by the Constitution, to the persons whose slaves escape from them? None at all—none at all. Neither in the

forum of conscience, nor before the face of the Constitution, are they justified, in my opinion. Of course, it is a matter for their consideration. They probably, in the turmoil of the times, have not stopped to consider of this; they have followed what seemed to be the current of thought and of motives as the occasion arose, and neglected to investigate fully the real question, and to consider their constitutional obligations, as I am sure, if they did consider, they would fulfill them with alacrity. . . .

Then, sir, there are those abolition societies, of which I am unwilling to speak, but in regard to which I have very clear notions and opinions. I do not think them useful. I think their operations for the last twenty years have produced nothing good or valuable. At the same time, I know thousands of them are honest and good men; perfectly well-meaning men. They have excited feelings; they think they must do something for the cause of liberty; and in their sphere of action they do not see what else they can do than to contribute to an abolition press, or an abolition society, or to pay an abolition lecturer. I do not mean to impute gross motives even to the leaders of these societies, but I am not blind to the consequences. I cannot but see what mischiefs their interference with the South has produced. . . . The bonds of the slaves were bound more firmly than before; their rivets were more strongly fastened. Public opinion, which in Virginia had begun to be exhibited against slavery, and was opening out for the discus-

sion of the question, drew back and shut itself up in its castle. . . . We all know the fact, and we all know the cause, and everything that this agitating people have done has been, not to enlarge, but to restrain, not to set free, but to bind faster, the slave population of the South. . . .

Now, sir, so far as any of these grievances have their foundation in matters of law, they can be redressed, and ought to be redressed; and so far as they have foundation in matters of opinion, in sentiment, in mutual crimination and recrimination, all that we can do is to endeavor to allay the agitation, and cultivate a better feeling and more fraternal sentiments between the South and the North.

Mr. President, I should much prefer to have heard, from every member on this floor, declarations of opinion that this Union should never be dissolved, than the declaration of opinion that in any case, under the pressure of any circumstances, such a dissolution was possible. I hear with pain, and anguish, and distress, the word secession, especially when it falls from the lips of those who are eminently patriotic, and known to the country, and known all over the world, for their political services. Secession! Peaceable secession! Sir, your eyes and mine are never destined to see that miracle. The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! Who is so foolish—I beg everybody's pardon—as to expect to see any such thing? Sir, he who sees these

States, now revolving in harmony around a common center, and expects to see them quit their places and fly off without convulsion, may look the next hour to see the heavenly bodies rush from their spheres, and jostle against each other in the realms of space, without producing the crush of the universe. There can be no such thing as a peaceable secession. Peaceable secession is an utter impossibility. Is the great Constitution under which we live here—covering this whole country—is it to be thawed and melted away by secession, as the snows on the mountains melt under the influence of a vernal sun—disappear almost unobserved, and die off? No, sir! no, sir! I will not state what might produce the disruption of the State; but, sir, I see it as plainly as I see the sun in heaven—I see that disruption must produce such a war as I will not describe, in its twofold characters.

THE UNDERGROUND RAILROAD

By Levi Coffin

COFFIN, from whose "Reminiscences" this account is taken, was commonly styled the president of the institution known as "The Underground Railroad" for aiding fugitive slaves to escape to Canada beyond the reach of the Fugitive Slave Law. The most favored routes lay through Pennsylvania and Ohio. Coffin, who was actively engaged in the work in Cincinnati, claimed to have received into his house an average of 100 fugitives annually over a period of thirty-three years.

Professor W. H. Siebert, in his exhaustive work on the subject, gives the names of 3,211 "agents, station keepers and conductors" in the service; and it is estimated that 500 negroes annually made trips from Canada to the South to aid their friends and relatives in escaping, before the outbreak of the war. This account shows the methods of making connections northward.

They would contribute to clothe the fugitives, and would aid in forwarding them on their way, but were timid about sheltering them under their roof; so that part of the work devolved on us. Some seemed really glad to see the work go on, if somebody else

IN the winter of 1826-27, fugitives began to come to our house, and as it became more widely known on different routes that the slaves fleeing from bondage would find a welcome and shelter at our house, and be forwarded safely on their journey, the number increased. Friends in the neighborhood, who had formerly stood aloof from the work, fearful of the penalty of the law, were encouraged to engage in it when they saw the fearless manner in which I acted, and the success that attended my efforts.

would do it. Others doubted the propriety of it, and tried to discourage me, and dissuade me from running such risks. They manifested great concern for my safety and pecuniary interests, telling me that such a course of action would injure my business and perhaps ruin me; that I ought to consider the welfare of my family; and warning me that my life was in danger, as there were many threats made against me by the slave-hunters and those who sympathized with them.

After listening quietly to these counselors, I told them that I felt no condemnation for anything that I had ever done for the fugitive slaves. If by doing my duty and endeavoring to fulfill the injunctions of the Bible, I injured my business, then let my business go. As to my safety, my life was in the hands of my Divine Master, and I felt that I had his approval. I had no fear of the danger that seemed to threaten my life or my business. If I was faithful to duty, and honest and industrious, I felt that I would be preserved, and that I could make enough to support my family. At one time there came to see me a good old Friend, who was apparently very deeply concerned for my welfare. He said he was as much opposed to slavery as I was, but thought it very wrong to harbor fugitive slaves. No one there knew of what crimes they were guilty; they might have killed their masters, or committed some other atrocious deed, then those who sheltered them, and aided them in their

escape from justice would indirectly be accomplices. He mentioned other objections which he wished me to consider, and then talked for some time, trying to convince me of the errors of my ways. I heard him patiently until he had relieved his mind of the burden upon it, and then asked if he thought the Good Samaritan stopped to inquire whether the man who fell among thieves was guilty of any crime before he attempted to help him? I asked him if he were to see a stranger who had fallen into the ditch would he not help him out until satisfied that he had committed no atrocious deed? These, and many other questions which I put to him, he did not seem able to answer satisfactorily. He was so perplexed and confused that I really pitied the good old man, and advised him to go home and read his Bible thoroughly, and pray over it, and I thought his concern about my aiding fugitive slaves would be removed from his mind, and that he would feel like helping me in the work. We parted in good feeling, and he always manifested warm friendship toward me until the end of his days.

Many of my pro-slavery customers left me for a time, my sales were diminished, and for a while my business prospects were discouraging, yet my faith was not shaken, nor my efforts for the slaves lessened. New customers soon came in to fill the places of those who had left me. New settlements were rapidly forming to the north of us, and our own was filling up with emigrants from North Carolina, and other States. My trade increased, and I enlarged my business. I was

blessed in all my efforts and succeeded beyond my expectations. The Underground Railroad business increased as time advanced, and it was attended with heavy expenses, which I could not have borne had not my affairs been prosperous. I found it necessary to keep a team and a wagon always at command, to convey the fugitive slaves on their journey. Sometimes, when we had large companies, one or two other teams and wagons were required. These journeys had to be made at night, often through deep mud and bad roads, and along by-ways that were seldom traveled. Every precaution to evade pursuit had to be used, as the hunters were often on the track, and sometimes ahead of the slaves. We had different routes for sending the fugitives to depots, ten, fifteen, or twenty miles distant, and when we heard of slave-hunters having passed on one road, we forwarded our passengers by another.

In some instances where we learned that the pursuers were ahead of them, we sent a messenger and had the fugitives brought back to my house to remain in concealment until the bloodhounds in human shape had lost the trail and given up the pursuit.

I soon became extensively known to the friends of the slaves, at different points on the Ohio River, where fugitives generally crossed, and to those northward of us on the various routes leading to Canada. Depots were established on the different lines of the Underground Railroad, south and north of Newport, and a perfect understanding was maintained between those

who kept them. Three principal lines from the South converged at my house; one from Cincinnati, one from Madison, and one from Jeffersonville, Indiana. The roads were always in running order, the connections were good, the conductors active and zealous, and there was no lack of passengers. Seldom a week passed without our receiving passengers by this mysterious road. We found it necessary to be always prepared to receive such company and properly care for them. We knew not what night or what hour of the night we would be roused from slumber by a gentle rap at the door. That was the signal announcing the arrival of a train of the Underground Railroad, for the locomotive did not whistle, nor make any unnecessary noise. I have often been awakened by this signal, and sprang out of bed in the dark and opened the door. Outside in the cold or rain, there would be a two-horse wagon loaded with fugitives, perhaps the greater part of them women and children. I would invite them, in a low tone, to come in, and they would follow me into the darkened house without a word, for we knew not who might be watching and listening. When they were all safely inside and the door fastened, I would cover the windows, strike a light and build a good fire. By this time my wife would be up and preparing victuals for them, and in a short time the cold and hungry fugitives would be made comfortable. I would accompany the conductor of the train to the stable, and care for the horses, that had, perhaps, been driven twenty-five or thirty miles that

night, through the cold and rain. The fugitives would rest on pallets before the fire the rest of the night. Frequently, wagon-loads of passengers from the different lines have met at our house, having no previous knowledge of each other. The companies varied in number, from two or three fugitives to seventeen.

The care of so many necessitated much work and anxiety on our part, but we assumed the burden of our own will and bore it cheerfully. It was never too cold or stormy, or the hour of night too late for my wife to rise from sleep, and provide food and comfortable lodging for the fugitives. Her sympathy for those in distress never tired, and her efforts in their behalf never abated. This work was kept up during the time we lived at Newport, a period of more than twenty years. The number of fugitives varied considerably in different years, but the annual average was more than one hundred. They generally came to us destitute of clothing, and were often barefooted. Clothing must be collected and kept on hand, if possible, and money must be raised to buy shoes, and purchase goods to make garments for women and children. The young ladies in the neighborhood organized a sewing society, and met at our house frequently, to make clothes for the fugitives.

Sometimes when the fugitives came to us destitute, we kept them several days, until they could be provided with comfortable clothes. This depended on the circumstances of danger. If they had come a long distance and had been out several weeks or months—

as was sometimes the case—and it was not probable that hunters were on their track, we thought it safe for them to remain with us until fitted for traveling through the thinly settled country to the North. Sometimes fugitives have come to our house in rags, foot-sore and toil-worn, and almost wild, having been out for several months traveling at night, hiding in canebrakes or thickets during the day, often being lost and making little headway at night, particularly in cloudy weather, when the north star could not be seen, sometimes almost perishing for want of food, and afraid of every white person they saw, even after they came into a free State, knowing that slaves were often captured and taken back after crossing the Ohio River.

Such as these we have kept until they were recruited in strength, provided with clothes, and able to travel. When they first came to us they were generally unwilling to tell their stories, or let us know what part of the South they came from. They would not give their names, or the names of their masters, correctly, fearing that they would be betrayed. In several instances fugitives came to our house sick from exhaustion and exposure, and lay several weeks. One case was that of a woman and her two children—little girls. Hearing that her children were to be sold away from her, she determined to take them with her and attempt to reach Canada. She had heard that Canada was a place where all were free, and that by traveling toward the north star she could reach it. She

managed to get over the Ohio River with her two little girls, and then commenced her long and toilsome journey northward. Fearing to travel on the road, even at night, lest she should meet somebody, she made her way through the woods and across fields, living on fruits and green corn, when she could procure them, and sometimes suffering severely for lack of food. Thus she wandered on, and at last reached our neighborhood. Seeing a cabin where some colored people lived she made her way to it. The people received her kindly, and at once conducted her to our house. She was so exhausted by the hardships of her long journey, and so weakened by hunger, having denied herself to feed her children, that she soon became quite sick. Her children were very tired, but soon recovered their strength, and were in good health. They had no shoes nor clothing except what they had on, and that was in tatters. Dr. Henry H. Way was called in, and faithfully attended the sick woman, until her health was restored. Then the little party were provided with good clothing and other comforts, and were sent on their way to Canada.

Dr. Way was a warm friend to the fugitive slaves, and a hearty co-worker with me in anti-slavery matters. The number of those who were friendly to the fugitives increased in our neighborhood as time passed on. Many were willing to aid in clothing them and helping them on their way, and a few were willing to aid in secreting them, but the depot seemed to be established at my house. . . .

The fugitives generally arrived in the night, and were secreted among the friendly colored people or hidden in the upper room of our house. They came alone or in companies, and in a few instances had a white guide to direct them.

One company of twenty-eight that crossed the Ohio River at Lawrenceburg, Indiana—twenty miles below Cincinnati—had for conductor a white man whom they had employed to assist them. The company of twenty-eight slaves referred to, all lived in the same neighborhood in Kentucky, and had been planning for some time how they could make their escape from slavery. This white man—John Fairfield—had been in the neighborhood for some weeks buying poultry, etc., for market, and though among the whites he assumed to be very pro-slavery, the negroes soon found that he was their friend.

He was engaged by the slaves to help them across the Ohio River, and conduct them to Cincinnati. They paid him some money which they had managed to accumulate. The amount was small, considering the risk the conductor assumed, but it was all they had. Several of the men had their wives with them, and one woman a little child with her, a few months old. John Fairfield conducted the party to the Ohio River, opposite the mouth of the Big Miami, where he knew there were several skiffs tied to the bank, near a woodyard. The entire party crowded into three large skiffs or yawls, and made their way slowly across the river. The boats were overloaded and sank so deep

that the passage was made in much peril. The boat John Fairfield was in was leaky, and began to sink when a few rods from the Ohio bank, and he sprang out on the sand-bar, where the water was two or three feet deep, and tried to drag the boat to the shore. He sank to his waist in mud and quick-sands, and had to be pulled out by some of the negroes. The entire party waded out through mud and water and reached the shore safely, though all were wet, and several lost their shoes. They hastened along the bank toward Cincinnati, but it was now late in the night and daylight appeared before they reached the city.

Their plight was a most pitiable one. They were cold, hungry and exhausted; those who had lost their shoes in the mud suffered from bruised and lacerated feet, while to add to their discomfort a drizzling rain fell during the latter part of the night. They could not enter the city, for their appearance would at once proclaim them to be fugitives. When they reached the outskirts of the city, below Mill Creek, John Fairfield hid them as well as he could, in ravines that had been washed in the sides of the steep hills, and told them not to move until he returned. He then went directly to John Hatfield, a worthy colored man, a deacon in the Zion Baptist church, and told his story. He had applied to Hatfield before, and knew him to be a great friend to the fugitives—one who had often sheltered them under his roof and aided them in every way he could. When he arrived, wet and muddy, at John Hatfield's house, he was scarcely recognized. He

soon made himself and his errand known, and Hatfield at once sent a messenger to me, requesting me to come to his house without delay, as there were fugitives in danger. I went at once and met several prominent colored men who had also been summoned. While dry clothes and a warm breakfast were furnished to John Fairfield, we anxiously discussed the situation of the twenty-eight fugitives who were lying hungry and shivering, in the hills in sight of the city.

Several plans were suggested, but none seemed practicable. At last I suggested that some one should go immediately to a certain German livery stable in the city and hire two coaches, and that several colored men should go out in buggies and take the women and children from their hiding-places, then that the coaches and buggies should form a procession as if going to a funeral, and march solemnly along the road leading to Cumminsville, on the west side of the Mill Creek. In the western part of Cumminsville was the Methodist Episcopal burying-ground where a certain lot of ground had been set apart for the use of the colored people. They should pass this and continue on the Colerain pike till they reached a right-hand road leading to College Hill. At the latter place they would find a few colored families, living in the outskirts of the village, and could take refuge among them. Jonathan Cable, a Presbyterian minister, who lived near Farmer's College, on the west side of the village, was a prominent Abolitionist, and I knew that he would give prompt assistance to the fugitives.

I advised that one of the buggies should leave the procession at Cumminsville, after passing the burying-ground, and hasten to College Hill to apprise friend Cable of the coming of the fugitives, that he might make arrangements for their reception in suitable places. My suggestions and advice were agreed to, and acted upon as quickly as possible.

While the carriages and buggies were being procured, John Hatfield's wife and daughter, and other colored women of the neighborhood, busied themselves in preparing provisions to be sent to the fugitives. A large stone jug was filled with hot coffee, and this, together with a supply of bread and other provisions, was placed in a buggy and sent on ahead of the carriages, that the hungry fugitives might receive some nourishment before starting. The conductor of the party, accompanied by John Hatfield, went in the buggy, in order to apprise the fugitives of the arrangements that had been made, and have them in readiness to approach the road as soon as the carriages arrived. Several blankets were provided to wrap around the women and children, whom we knew must be chilled by their exposure to the rain and cold. The fugitives were very glad to get the supply of food; the hot coffee especially was a great treat to them, and much revived them. About the time they finished their breakfast the carriages and buggies drove up and halted in the road, and the fugitives were quickly conducted to them and placed inside. The women in the tight carriages wrapped themselves in

the blankets, and the woman who had a young babe muffled it closely to keep it warm, and to prevent its cries from being heard. The little thing seemed to be suffering much pain, having been exposed so long to the rain and cold.

All the arrangements were carried out, and the party reached College Hill in safety, and were kindly received and cared for.

When it was known by some of the prominent ladies of the village that a large company of fugitives were in the neighborhood, they met together to prepare some clothing for them. Jonathan Cable ascertained the number and size of the shoes needed, and the clothes required to fit the fugitives for traveling, and came down in his carriage to my house, knowing that the Anti-Slavery Sewing Society had their depository there. I went with him to purchase the shoes that were needed and my wife selected all the clothing we had that was suitable for the occasion; the rest was furnished by the noble women of College Hill.

I requested friend Cable to keep the fugitives as secluded as possible until a way could be provided for safely forwarding them on their way to Canada. Friend Cable was a stockholder in the Underground Railroad, and we consulted together about the best route, finally deciding on the line by way of Hamilton, West Elkton, Eaton, Paris, and Newport, Indiana. I wrote to one of my particular friends at West Elkton, informing him that I had some valuable stock on hand which I wished to forward to Newport, and requested

him to send three two-horse wagons—covered—to College Hill, where the stock was resting, in charge of Jonathan Cable.

The three wagons arrived promptly at the time mentioned, and a little after dark took in the party, together with another fugitive who had arrived the night before, and whom we added to the company. They went through to West Elkton safely that night, and the next night reached Newport, Indiana. With little delay they were forwarded on from station to station through Indiana and Michigan to Detroit, having fresh teams and conductors each night, and resting during the day. I had letters from different stations, as they progressed, giving accounts of the arrival and departure of the train, and I also heard of their safe arrival on the Canada shore.

COMMODORE PERRY NEGOTIATES A TREATY WITH JAPAN

Reports and Correspondence Published by Order of Congress

**MATTHEW CAL-
BRAITH PERRY** was a younger brother of Oliver Hazard Perry, the hero of the Battle of Lake Erie. Graduating from Annapolis, he served in the War of 1812, and in 1819 conveyed the first colony of negroes from this country to Africa, selecting the site of the future Monrovia.

His record and ability prompted the Czar Nicholas to offer him a high command in the Russian Navy, in 1829, which he declined. He commanded the squadron sent to Africa, in 1843, to enforce the Webster-Ashburton Treaty; and in the Mexican War he commanded the fleet which co-operated with General Scott, successfully bombarding Vera Cruz.

Commodore Perry's chief title to fame, however, lies in his wise and efficient organization and command of the expedition to Japan during 1852-3-4, after many vain attempts by western powers to establish trade and general relations with that hermit nation. This account was published in 1856.

construction of the boats was evidently very strong,

THE day appointed for the reception of a reply from Yedo (Tuesday, July 12, 1853) had now arrived. Accordingly, at about half past nine o'clock in the morning, three boats were seen to approach the steamer "Susquehanna" from the shores of Uraga. These were different from the usual government craft, and seemed, unlike the others, to be built after an European model; the rowers sat to their oars, and moved them as our boatmen do, though somewhat awkwardly, instead of standing and sculling at the sides, in accordance with the usual Japanese practice. The

and their models fair. Their masts, sails, and rigging were of the ordinary Japanese fashion. The crews were numerous, there being thirty in the largest boat, and thirteen in each of the others, and their great swarthy frames were clothed in the usual uniform of loose blue dresses slashed with white stripes.

The boat in advance was distinguished, in addition to the government mark of a horizontal black stripe across her broad sail, by the black and white flag, which indicated the presence of some officers of distinction, and such in fact were now on board of her. As she approached nearer to the ship, the governor, Kayama Yezaiman, in his rich silken robes, was recognized, seated on mats spread in the center of the deck of the vessel, and surrounded by his interpreters and suite.

The advance boat now came alongside, leaving the other two floating at some distance from the "Susquehanna." His Highness, Kayama Yezaiman, with his two interpreters, Hori Tatznoske, the principal, and Fatcisko Tokushumo, his second, were admitted at once on board, and, having been received with due formality, were ushered into the presence of Captains Buchanan and Adams, who were prepared to communicate with them.

The Commodore had, previously to the arrival of the governor, written the following letter to the Emperor:—

United States Steam Frigate "Susquehanna,"

Uraga, July 12, 1853.

The Commander-in-Chief of the United States naval forces in these seas, being invested with full powers to negotiate treaties, is desirous of conferring with one of the highest officers of the Empire of Japan, in view of making arrangements for the presentation of the original of his letter of credence, as also the original of a letter with which he is charged, addressed to his Imperial Majesty by the President of the United States.

It is hoped that an early day will be appointed for the proposed interview.

To his Imperial Majesty the Emperor of Japan.

The governor's first statement was to the effect that there had been a misapprehension as to the delivery of the translations of the papers before the originals had been received. Although the Commodore was certain that there had been no such misunderstanding, nevertheless he, on the second interview in the course of the afternoon, consented, after much discussion, to deliver the translations and originals, as also a letter from himself to the Emperor, at the same time, provided the latter should appoint a suitable officer to receive them directly from the hands of the Commodore, who repeated that he would consent to present them to no other than a Japanese dignitary of the highest rank. The governor then said that a building would be erected on shore for the reception of the Commo-

dore and his suite, and that a high official personage, specially appointed by the Emperor, would be in attendance to receive the letters. He, however, added that no answer would be given in the bay of Yedo, but that it would be transmitted to Nagasaki, through the Dutch or Chinese superintendents. This being reported to the Commodore, he wrote the following memorandum and directed it to be translated into Dutch, and fully explained to the governor:—

“The Commander-in-Chief will not go to Nagasaki, and will receive no communication through the Dutch or Chinese.

“He has a letter from the President of the United States to deliver to the Emperor of Japan, or to his secretary of foreign affairs, and he will deliver the original to none other: if this friendly letter of the President to the Emperor is not received and duly replied to, he will consider his country insulted, and will not hold himself accountable for the consequences.

“He expects a reply of some sort in a few days, and he will receive such reply nowhere but in this neighborhood.” [Bay of Uraga.]

When this was communicated to the governor, he took his departure, probably to consult some higher authority, as doubtless there was more than one high officer of the court at Uraga, secretly directing the negotiations. The interview had lasted three hours, and it was fully one o'clock before the governor left

the ship. All passed in the most quiet way without any interruption to the usual courtesies of friendly negotiation. The shore showed every indication of tranquillity, and no movement was observed on the part of the fortresses or the many government boats along the shore.

The governor, in accordance with his promise on leaving in the morning, returned in the afternoon accompanied, as usual by his interpreters and suite. He came off, however, in one of the ordinary Japanese boats, and not, as earlier in the day, in the vessel built after the European model. Captains Buchanan and Adams were in readiness to receive the party, and resumed the renewed conference with the same form and ceremony as before; the Commodore still preserving his seclusion and communicating with the Japanese only through others. . . .

The next day was Wednesday (July 13), and the visit of the governor was naturally expected at an early hour, in fulfilment of his promise. There was, however, no indication through the morning of his coming, and everything remained in a state of tranquil expectation. There seemed to be some little movement on the part of the authorities, as far as could be gathered from an observation of the neighboring land. From the opposite shores numerous vessels, loaded with soldiers, crossed to the Uraga side, and a large junk with the usual government flag and insignia put into the harbor. The brisk trade of the bay

was carried on as usual, and Japanese boats, both large and small, were moving up and down in constant circulation. The various towns and villages grouped about the bay were thus interchanging their elements of life, and, stimulated into commercial activity by the throb from the busy heart of the great city, poured into Yedo their overflowing abundance. There were no less than sixty-seven junks counted as passing up the bay during the single day. . . .

The expected visit of the governor occurred at last, at about four o'clock in the afternoon. His highness Kayama Yezaiman, accompanied, as usual, by his first and second interpreters, presented himself, with a thousand apologies for not having come earlier, as the high officer from Yedo had but just arrived. The apologies having been made, the governor exhibited the original order of the Emperor, addressed to the functionary who had been appointed to receive the Commodore. The Emperor's letter was short, and was certified by a large seal attached to it. This imperial epistle, which was wrapped in velvet, and enclosed in a box made of sandal-wood, was treated by the governor with such reverence that he would allow no one to touch it. A copy of it in Dutch, and a certificate verifying the authenticity of the document, and of the Emperor's seal attached thereto, given under the hand of Kayama Yezaiman, the governor, were also presented. The translations were as follows:—

TRANSLATION OF LETTER OF CREDENCE GIVEN BY THE EMPEROR OF JAPAN TO HIS HIGHNESS, TODA, PRINCE OF INZU.

I send you to Uraga to receive the letter of the President of the United States to me, which letter has recently been brought to Uraga by the Admiral, upon receiving which you will proceed to Yedo, and take the same to me.

[Here is the Emperor's seal.]

Sixth month in 1853.

TRANSLATION OF CERTIFICATE OF KAYAMA YEZAIMAN, GOVERNOR OF URAGA, VERIFYING THE AUTHENTICITY OF THE EMPEROR'S LETTER AND SEAL.

You can rest assured that the high officer who has been accredited by the Emperor of Japan himself, and who consequently comes here to Uraga from Yedo for the purpose of receiving the original and translated letters, is of very high rank, equal to that of the Lord Admiral. I do assure that.

KAYAMA YEZAIMAN.

The governor, in the course of the conference, took care to state that the person appointed by the Emperor had no authority to enter into discussions with the Commodore, but was merely empowered to receive the papers and convey them to his sovereign. He also stated that he had made inquiry as to the practicability of changing the place of meeting, and said that, as a suitable building had already been erected, it would be inconvenient to change. The Commodore was prepared for this reply, and, as he

could not know whether any treachery was intended or not, he had determined to provide, as far as he could, against every contingency, and had therefore ordered the surveying party to examine the little bay at the head of which the building had been erected for his reception. The officers sent upon this service promptly performed the duty, and reported that the ships could be brought within gunshot of the place, where great numbers of the people had been observed employed in the completion of the building, in transporting furniture, and in otherwise preparing for the occasion.

The governor offered to accompany a boat to the place appointed for the reception, but this was declined, and he was informed that, as it did not befit the dignity of the Commodore to proceed a long distance in a small boat, the squadron would be removed to a position nearer the building designed for the reception. It was then agreed that the Commodore and his party should leave the ships between eight and nine o'clock the next day (Thursday), although the Japanese seemed particularly anxious that the interview should take place at an earlier hour, assigning as a reason that the heat of the day might thus be avoided. . . .

Thursday (July 14) opened with a sun that was somewhat obscured at early dawn, but which soon came out brightly and dispelled the fogs and clouds which overhung the land and seemed to give an inauspicious aspect to the occasion. As the atmos-

phere cleared and the shores were disclosed to view, the steady labors of the Japanese during the night were revealed in the showy effect on the Uraga shore. Ornamental screens of cloth had been so arranged as to give a more distinct prominence, as well as the appearance of greater size to the bastions and forts; and two tents had been spread among the trees. The screens were stretched tightly in the usual way upon posts of wood, and each interval between the posts was thus distinctly marked, and had, in the distance, the appearance of panelling. Upon these seeming panels were emblazoned the imperial arms, alternating with the device of a scarlet flower bearing large heart-shaped leaves. Flags and streamers, upon which were various designs represented in gay colors, hung from the several angles of the screens, while behind them thronged crowds of soldiers, arrayed in a costume which had not been before observed, and which was supposed to belong to high occasions only. The main portion of the dress was a species of frock of a dark color, with short skirts, the waists of which were gathered in with a sash, and which was without sleeves, the arms of the wearers being bare.

All on board the ships were alert from the earliest hour, making the necessary preparations. Steam was got up and the anchors were weighed that the ships might be moved to a position where their guns could command the place of reception. The sailing vessels, however, because of the calm, were unable to get into position. The officers, seamen, and marines who

were to accompany the Commodore were selected, and as large a number of them mustered as could possibly be spared from the whole squadron. All, of course, were eager to bear a part in the ceremonies of the day, but all could not possibly go, as a sufficient number must be left to do ships' duty. Many of the officers and men were selected by lot, and when the full complement, which amounted to nearly three hundred, was filled up, each one busied himself getting his person ready for the occasion. The officers, as had been ordered, were in full official dress, while the sailors and marines were in their naval and military uniforms of blue and white.

Before eight bells in the morning watch had struck, the "Susquehanna" and "Mississippi" moved slowly down the bay. Simultaneously with this movement of our ships, six Japanese boats were observed to sail in the same direction, but more within the land. The government striped flag distinguished two of them, showing the presence of some high officials, while the others carried red banners, and were supposed to have on board a retinue or guard of soldiers. On doubling the headland, which separated the former anchorage from the bay below, the preparations of the Japanese on the shore came suddenly into view. The land bordering the head of the bay was gay with a long stretch of painted screens of cloth, upon which was emblazoned the arms of the Emperor. Nine tall standards stood in the center of an immense number of banners of divers lively colors, which were ar-

ranged on either side, until the whole formed a crescent of variously tinted flags, which fluttered brightly in the rays of the morning sun. From the tall standards were suspended broad pennons of rich scarlet which swept the ground with their flowing length. On the beach in front of this display were ranged regiments of soldiers, who stood in fixed order, evidently arrayed to give an appearance of martial force, that the Americans might be duly impressed with the military power of the Japanese.

As the beholder faced the bay, he saw on the left of the village of Gori-Hama a straggling group of peak-roofed houses, built between the beach and the base of the high ground which ran in green acclivities behind, and ascended from height to height to the distant mountains. A luxuriant valley or gorge, walled in with richly wooded hills, opened at the head of the bay, and, breaking the uniformity of the curve of the shore, gave a beautiful variety to the landscape. On the right some hundred Japanese boats, or more, were arranged in parallel lines along the margin of the shore, with a red flag flying at the stern of each. The whole effect, though not startling, was novel and cheerful, and everything combined to give a pleasing aspect to the picture. The day was bright, with a clear sunlight which seemed to give fresh vitality alike to the verdant hillsides and the gay banners and the glittering soldiery. Back from the beach, opposite the center of the curved shore of the bay, the building, just constructed for the reception,

rose in three pyramidal-shaped roofs, high above the surrounding houses. It was covered in front by striped cloth, which was extended in screens to either side. It had a new, fresh look, indicative of its recent erection, and with its peaked summits was not unlike, in the distance, a group of very large ricks of grain.

Two boats approached as the steamers neared the opening of the bay, and when the anchors were dropped they came alongside the "Susquehanna." Kayama Yezaiman, with his two interpreters, came on board, followed immediately by Nagazima Saboroske and an officer in attendance, who had come in the second boat. They were duly received at the gangway and conducted to seats on the quarter deck. All were dressed in full official costume, somewhat different from their ordinary garments. Their gowns, though of the usual shape, were much more elaborately adorned. The material was of very rich silk brocade of gay colors, turned up with yellow velvet, and the whole dress was highly embroidered with gold lace in various figures, among which was conspicuously displayed on the back, sleeves, and breast the arms of the wearer. Saboroske, the sub-governor of Uraga, wore a pair of very broad but very short trousers, which, when his legs (which was not often the case) stood still and together, looked very much like a slit petticoat, while below his nether limbs were partly naked and partly covered by black woolen socks. Saboroske, in spite of his elaborate toilette

and his finery, all bedizened with gold thread, glossy silk, and gay colors, did not produce a very impressive effect, but by his comical appearance provoked mirth rather than admiration. He had, in fact, very much the appearance of an unusually brilliant knave of trumps.

A signal was now hoisted from the "Susquehanna" as a summons for the boats from the other ships, and in the course of half an hour they had all pulled alongside with their various officers, sailors, and marines, detailed for the day's ceremonies. The launches and cutters numbered no less than fifteen, and presented quite an imposing array; and with all on board them, in proper uniform, a picturesque effect was not wanting. Captain Buchanan, having taken his place in his barge, led the way, flanked on either side by the two Japanese boats containing the governor and vice-governor of Uraga with their respective suites; and these dignitaries acted as masters of ceremony and pointed out the course to the American flotilla. The rest of the ships' boats followed after in order, with the cutters, containing the two bands of the steamers, who enlivened the occasion with their cheerful music.

The boats skimmed briskly over the smooth waters; for such was the skill and consequent rapidity of the Japanese scullers that our sturdy oarsmen were put to their mettle to keep up with their guides. When the boats had reached half-way to the shore, the thirteen guns of the "Susquehanna" began to

boom away and re-echo among the hills. This announced the departure of the Commodore, who, stepping into his barge, was rowed off to the land.

The guides in the Japanese boats pointed to the landing place toward the center of the curved shore, where a temporary wharf had been built out from the beach by means of bags of sand and straw. The advance boat soon touched the spot, and Captain Buchanan, who commanded the party, sprang ashore, being the first of the Americans who landed in the Kingdom of Japan. He was immediately followed by Major Zeilin, of the marines. The rest of the boats now pulled in and disembarked their respective loads. The marines (one hundred) marched up the wharf and formed into line on either side, facing the sea; then came the hundred sailors, who were also ranged in rank and file as they advanced, while the two bands brought up the rear. The whole number of Americans, including sailors, marines, musicians, and officers, amounted to nearly three hundred; no very formidable array, but still quite enough for a peaceful occasion, and composed of very vigorous, able-bodied men, who contrasted strongly with the smaller and more effeminate-looking Japanese. These latter had mustered in great force, the amount of which the governor of Uraga stated to be five thousand; but, seemingly, they far outnumbered that. Their line extended around the whole circuit of the beach, from the further extremity of the village to the abrupt acclivity of the hill which bounded

the bay on the northern side; while an immense number of the soldiers thronged in, behind and under cover of the cloth screens which stretched along the rear. The loose order of this Japanese army did not betoken any very great degree of discipline. The soldiers were tolerably well armed and equipped. Their uniform was very much like the ordinary Japanese dress. Their arms were swords, spears, and match-locks. Those in front were all infantry, archers and lancers; but large bodies of cavalry were seen behind, somewhat in the distance, as if held in reserve. The horses of these seemed of a fine breed, hardy, of good bottom, and brisk in action; and these troopers, with their rich caparisons, presented at least a showy cavalcade. Along the base of the rising ground which ascended behind the village, and entirely in the rear of the soldiers, was a large number of the inhabitants, among whom there was quite an assemblage of women, who gazed with intense curiosity, through the openings in the line of the military, upon the stranger visitors from another hemisphere.

On the arrival of the Commodore his suite of officers formed a double line along the landing place, and, as he passed up between, they fell into order behind him. The procession was then formed and took up its march toward the house of reception, the route to which was pointed out by Kayama Yezaiman and his interpreter, who preceded the party. The marines led the way, and, the sailors following, the Commo-

dore was duly escorted up the beach. The United States flag and the broad pennant were borne by two athletic seamen, who had been selected from the crews of their squadron on account of their stalwart proportions. Two boys, dressed for the ceremony, preceded the Commodore, bearing in an envelope of scarlet cloth the boxes which contained his credentials and the President's letter. These documents, of folio size, were beautifully written on vellum, and not folded, but bound in blue silk velvet. Each seal, attached by cords of interwoven gold and silk with pendant gold tassels, was encased in a circular box six inches in diameter and three in depth, wrought of pure gold. Each of the documents, together with its seal, was placed in a box of rosewood about a foot long, with lock, hinges, and mountings, all of gold. On either side of the Commodore marched a tall, well-formed negro, who, armed to the teeth, acted as his personal guard. These blacks, selected for the occasion, were two of the best-looking fellows of their color that the squadron could furnish. All this, of course, was but for effect.

The procession was obliged to make a somewhat circular movement to reach the entrance of the house of reception. This gave a good opportunity for the display of the escort. The building, which was but a short distance from the landing, was soon reached. In front of the entrance were two small brass cannon, which were old and apparently of European manufacture; on either side were grouped a rather

straggling company of Japanese guards, whose costume was different from that of the other soldiers. Those on the right were dressed in tunics, gathered in at the waist with broad sashes, and in full trousers of a gray color, the capacious width of which was drawn in at the knees, while their heads were bound with a white cloth in the form of a turban. They were armed with muskets upon which bayonets and flint-locks were observed. The guards on the left were dressed in a rather dingy, brown-colored uniform turned up with yellow, and carried old-fashioned match-locks.

The Commodore, having been escorted to the door of the house of reception, entered with his suite. The building showed marks of hasty erection, and the timbers and boards of pine wood were numbered, as if they had been fashioned previously and brought to the spot all ready to be put together. The first portion of the structure entered was a kind of tent, principally constructed of painted canvas, upon which in various places the imperial arms was painted. Its area enclosed a space of nearly forty feet square. Beyond this entrance hall was an inner apartment to which a carpeted path led. The floor of the outer room was generally covered with white cloth, but through its center passed a slip of red-colored carpet, which showed the direction to the interior chamber. This latter was entirely carpeted with red cloth, and was the state apartment of the building where the reception was to take place. Its floor was

somewhat raised, like a dais, above the general level, and was handsomely adorned for the occasion. Violet-colored hangings of silk and fine cotton, with the imperial coat-of-arms embroidered in white, hung from the walls which enclosed the inner room, on three sides, while the front was left open to the antechamber or outer room.

As the Commodore and his suite ascended to the reception room, the two dignitaries who were seated on the left arose and bowed, and the Commodore and suite were conducted to the arm-chairs which had been provided for them on the right. The interpreters announced the names and titles of the high Japanese functionaries as "Toda-Idzu-no-kami," Toda, prince of Idzu, and "Ido-Iwami-no-kami," Ido, prince of Iwami. They were both men of advanced years, the former apparently about fifty, and the latter some ten or fifteen years older. Prince Toda was the better-looking man of the two, and the intellectual expression of his large forehead and amiable look of his regular features contrasted very favorably with the more wrinkled and contracted and less intelligent face of his associate, the prince of Iwami. They were both very richly dressed, their garments being of heavy silk brocade interwoven with elaborately wrought figures in gold and silver.

From the beginning, the two princes had assumed an air of statuesque formality which they preserved during the whole interview, as they never spoke a word, and rose from their seats only at the entrance

and exit of the Commodore, when they made a grave and formal bow. Yezaiman and his interpreters acted as masters of ceremony during the occasion. On entering, they took their positions at the upper end of the room, kneeling down beside a large lacquered box of scarlet color, supported by feet, gilt or of brass.

For some time after the Commodore and his suite had taken their seats there was a pause of some minutes, not a word being uttered on either side. Tatznoske, the principal interpreter, was the first to break silence, which he did by asking Mr. Portman, the Dutch interpreter, whether the letters were ready for delivery, and stating that the prince Toda was prepared to receive them; and that the scarlet box at the upper end of the room was prepared as the receptacle for them. The Commodore, upon this being communicated to him, beckoned to the boys who stood in the lower hall to advance, when they immediately obeyed his summons and came forward, bearing the handsome boxes which contained the President's letter and other documents. The two stalwart negroes followed immediately in rear of the boys, and, marching up to the scarlet receptacle, received the boxes from the hands of the bearers, opened them, took out the letters, and, displaying the writing and seals, laid them upon the lid of the Japanese box—all in perfect silence. The President's letter, the Commodore's letter of credence, and two communications from the Commodore to the Emperor are here given. A third letter from him has

already been presented on a previous page. All these, however, accompanied the letter from the President and were delivered at the same time with it.

MILLARD FILLMORE, PRESIDENT OF THE UNITED STATES OF AMERICA, TO HIS IMPERIAL MAJESTY, THE EMPEROR OF JAPAN.

Great and good Friend: I send you this public letter by Commodore Matthew C. Perry, an officer of the highest rank in the navy of the United States, and commander of the squadron now visiting your imperial majesty's dominions.

I have directed Commodore Perry to assure your imperial majesty that I entertain the kindest feelings toward your majesty's person and government, and that I have no other object in sending him to Japan but to propose to your imperial majesty that the United States and Japan should live in friendship and have commercial intercourse with each other.

The Constitution and laws of the United States forbid all interference with the religious or political concerns of other nations. I have particularly charged Commodore Perry to abstain from every act which could possibly disturb the tranquillity of your imperial majesty's dominions.

The United States of America reach from ocean to ocean, and our Territory of Oregon and State of California lie directly opposite to the dominions of your imperial majesty. Our steamships can go from California to Japan in eighteen days.

Our great State of California produces about sixty millions of dollars in gold every year, besides silver, quicksilver, precious stones, and many other valuable articles. Japan is also a rich and fertile country, and produces many very valuable articles. Your imperial majesty's subjects are skilled in many of the arts. I am desirous that our two countries should trade with each other, for the benefit both of Japan and the United States.

We know that the ancient laws of your imperial majesty's government do not allow of foreign trade, except with the Chinese and the Dutch; but, as the state of the world changes and new governments are formed, it seems to be wise, from time to time, to make new laws. There was a time when the ancient laws of your imperial majesty's government were first made.

About the same time America, which is sometimes called the New World, was first discovered and settled by the Europeans. For a long time there were but a few people, and they were poor. They have now become quite numerous; their commerce is very extensive; and they think that if your imperial majesty were so far to change the ancient laws as to allow a free trade between the two countries it would be extremely beneficial to both.

If your imperial majesty is not satisfied that it would be safe altogether to abrogate the ancient laws which forbid foreign trade, they might be suspended for five or ten years, so as to try the experiment. If it does not prove as beneficial as was hoped, the ancient laws

can be restored. The United States often limit their treaties with foreign States to a few years, and then renew them or not, as they please.

I have directed Commodore Perry to mention another thing to your imperial majesty. Many of our ships pass ever year from California to China; and great numbers of our people pursue the whale fishery near the shores of Japan. It sometimes happens, in stormy weather, that one of our ships is wrecked on your imperial majesty's shores. In all such cases we ask, and expect, that our unfortunate people should be treated with kindness, and that their property should be protected till we can send a vessel and bring them away. We are very much in earnest in this.

Commodore Perry is also directed by me to represent to your imperial majesty that we understand there is a great abundance of coal and provisions in the Empire of Japan. Our steamships, in crossing the great ocean, burn a great deal of coal, and it is not convenient to bring it all the way from America. We wish that our steamships and other vessels should be allowed to stop in Japan and supply themselves with coal, provisions and water. They will pay for them in money, or anything else your imperial majesty's subjects may prefer; and we request your imperial majesty to appoint a convenient port, in the southern part of the Empire, where our vessels may stop for this purpose. We are very desirous of this.

These are the only objects for which I have sent Commodore Perry, with a powerful squadron, to pay a visit to your imperial majesty's renowned city of Yedo: friendship, commerce, a supply of coal and provisions, and protection for our shipwrecked people.

We have directed Commodore Perry to beg your imperial majesty's acceptance of a few presents. They are of no great value in themselves; but some of them may serve as specimens of the articles manufactured in the United States, and they are intended as tokens of our sincere and respectful friendship.

May the Almighty have your imperial majesty in His great and holy keeping!

In witness whereof, I have caused the great seal of the United States to be hereunto affixed, and have subscribed the same with my name, at the city of Washington, in America, the seat of my government, on the thirteenth day of the month of November, in the year one thousand eight hundred and fifty-two.

[Seal attached.]

Your good friend,

MILLARD FILLMORE.
EDWARD EVERETT.
Secretary of State.

By the President:

THE FIRST TREATY WITH JAPAN

HAVING delivered President Fillmore's letter to the proper representatives of the Mikado on July 14, 1853, and been received with impressive ceremonies on Japanese soil, Commodore Perry led his squadron to Chinese waters, where he remained until the next February. Returning to Japan, he was cordially received, made an exhibition to the Japanese of the telegraph and railroad, of agricultural implements and other articles of western progress, which were greatly admired, and succeeded on March 31, 1854, in making the desired treaty, as given here, which was soon followed by similar treaties between Japan and other nations.

This brilliant achievement marked the beginning of the wonderful new industrial life of Japan. In 1903, the fiftieth anniversary of Perry's landing in Japan, a monument in honor of the event was dedicated at the place of the landing by the Japanese government and people.

the United States to Japan, and the August Sovereign of Japan has given similar full powers to his Commissioners, Hayashi, Daigaku-no-kami; Ido, Prince of Tsus-Sema; Izawa, Prince of Mima-saki; and Udono, Member of the Board of Revenue. And the said Commissioners, after having exchanged their

THE United States of America and the Empire of Japan, desiring to establish firm, lasting and sincere friendship between the two nations, have resolved to fix, in a manner clear and positive, by means of a treaty or general convention of peace and amity, the rules which shall in future be mutually observed in the intercourse of their respective countries; for which most desirable object the President of the United States has conferred full powers on his commissioner, Matthew Calbraith Perry, Special Ambassador of

said full powers, and duly considered the premises, have agreed to the following articles:

ARTICLE I

There shall be a perfect, permanent, and universal peace, and a sincere and cordial amity between the United States of America on the one part, and the Empire of Japan on the other part, and between their people respectively, without exception of persons or places.

ARTICLE II

The port of Simoda, in the principality of Idzuz, and the port of Hakodade, in the principality of Matsmai, are granted by the Japanese as ports for the reception of American ships, where they can be supplied with wood, water, provisions and coal, and other articles their necessities may require, as far as the Japanese have them. The time for opening the first-named port is immediately on signing this treaty; the last-named port is to be opened immediately after the same day in the ensuing Japanese year.

Note.—A tariff of prices shall be given by the Japanese officers of the things which they can furnish, payment for which shall be made in gold and silver coin.

ARTICLE III

Whenever ships of the United States are thrown or wrecked on the coast of Japan, the Japanese ves-

sels will assist them, and carry their crews to Simoda, or Hakodade, and hand them over to their countrymen, appointed to receive them; whatever articles the shipwrecked men may have preserved shall likewise be restored, and the expenses incurred in the rescue and support of Americans and Japanese who may thus be thrown upon the shores of either nation are not to be refunded.

ARTICLE IV

Those shipwrecked persons and other citizens of the United States shall be free as in other countries, and not subjected to confinement, but shall be amenable to just laws.

ARTICLE V

Shipwrecked men and other citizens of the United States, temporarily living at Simoda and Hakodade, shall not be subject to restrictions and confinement as the Dutch and Chinese are at Nagasaki, but shall be free at Simoda to go where they please within the limits of seven Japanese miles (or ri) from a small island in the harbor of Simoda marked on the accompanying chart hereto appended; and in like manner shall be free to go where they please at Hakodade, within limits to be defined after the visit of the United States squadron to that place.

ARTICLE VI

If there be any other sort of goods wanted, or business which shall require to be arranged, there

shall be careful deliberation between the parties in order to settle such matters.

ARTICLE VII

It is agreed that ships of the United States resorting to the ports open to them shall be permitted to exchange gold and silver coin and articles of goods, under such regulations as shall be temporarily established by the Japanese Government for that purpose. It is stipulated, however, that the ships of the United States shall be permitted to carry away whatever articles they are unwilling to exchange.

ARTICLE VIII

Wood, water, provisions, coal, and goods required, shall only be procured through the agency of Japanese officers appointed for that purpose, and in no other manner.

ARTICLE IX

It is agreed that if at any future day the Government of Japan shall grant to any other nations privileges and advantages which are not granted to the United States and the citizens thereof, that these same privileges and advantages shall be granted likewise to the United States and to the citizens thereof, without any consultation or delay.

ARTICLE X

Ships of the United States shall be permitted to resort to no other ports in Japan but Simoda and

Hakodade, unless in distress or forced by stress of weather.

ARTICLE XI

There shall be appointed by the Government of the United States, Consuls or Agents to reside in Simoda, at any time after the expiration of eighteen months from the date of the signing of this treaty; provided that either of the two governments deem such arrangement necessary.

ARTICLE XII

The present convention having been concluded and duly signed, shall be obligatory and faithfully observed by the United States of America and Japan, and by the citizens and subjects of each respective Power; and it is to be ratified and approved by the President of the United States, by and with the advice and consent of the Senate thereof, and by the august Sovereign of Japan, and the ratification shall be exchanged within eighteen months from the date of the signature thereof, or sooner if practicable.

In faith whereof we, the respective Plenipotentiaries of the United States of America and the Empire of Japan aforesaid have signed and sealed these presents.

Done at Kanagawa, this thirty-first day of March, in the year of our Lord Jesus Christ one thousand eight hundred and fifty-four, and of Kayei the seventh year, third month, and third day.

M. C. Perry.

THE KANSAS-NEBRASKA BILL

By Edward A. Pollard

THIS article constitutes a chapter in Pollard's "Lost Cause" (1866), the earliest noteworthy book on the Civil War published by a Southern writer. The author, a Virginian, was long editor of the "Richmond Examiner," including the Civil War period. He was a merciless critic of Jefferson Davis.

The Kansas-Nebraska Bill is chiefly significant in American history as having revived the contest between the North and South over the slavery question which had been regarded as settled, for many years at least, by the Clay Compromise of 1850. It was in effect a repeal of the Missouri Compromise of 1820, and had a powerful influence in the formation of the Republican Party on the principle of no extension of slavery. It roused Lincoln and gave a bent to his great political ambition.

THE wisest statesmen of America were convinced that the true and intelligent means of continuing the Union was to preserve the sectional equilibrium, and to keep a balance of power between North and South. That equilibrium had been violently disturbed, in 1820, at the time of the Missouri Compromise. The relative representations of the North and South in the United States Senate were then so evenly balanced that it came to be decisive of

a continuance of political power in the South whether Missouri should be an addition to her ranks or to those of her adversary. The contest ended, immediately, in favor of the South; but not without involving a measure of proscription against slavery.

Another struggle for political power between the two sections occurred on the admission of Texas.

The South gained another State. But the acquisition of Texas brought on the war with Mexico; and an enormous addition to Northern territory became rapidly peopled with a population allured from every quarter of the globe.

On the admission of California into the Union, the South was persuaded to let her come in with an anti-slavery Constitution for the wretched compensation of a reënactment of the fugitive-slave law, and some other paltry measures. The cry was raised that the Union was in danger. The appeals urged under this cry had the usual effect of reconciling the South to the sacrifice required of her, and embarrassed anything like resistance on the part of her representatives in Congress to the compromise measures of 1850. South Carolina threatened secession; but the other Southern States were not prepared to respond to the bold and adventurous initiative of Southern independence. But it should be stated that the other States of the South, in agreeing to what was called, in severe irony, the Compromise of 1850, declared that it was the last concession they would make to the North; that they took it as a "finality," and that the slavery question was thereafter to be excluded from the pale of Federal discussion.

In 1852 Franklin Pierce was elected President of the United States. He was a favorite of the State Rights Democracy of the South; and it was hoped that under his administration the compromise measures of 1850 would indeed be realized as a "finality," and

the country be put upon a career of constitutional and peaceful rule. But a new and violent agitation was to spring up in the first session of the first Congress under his administration.

The Territory of Nebraska had applied for admission into the Union. Mr. Stephen A. Douglas, Senator from Illinois, reported from the Committee on Territories a bill which made two Territories—Nebraska and Kansas—instead of one, and which declared that the Missouri Compromise Act was superseded by the compromise measures of 1850, and had thus become inoperative. It held that the Missouri Compromise Act, "being inconsistent with the principles of nonintervention by Congress with slavery in the States and Territories as recognized by the legislation of 1850, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions, subject only to the Constitution of the United States." The bill passed both houses of Congress in 1854.

The Kansas-Nebraska Bill, involving as it did the repeal of the Missouri Compromise, was taken by the South as a sort of triumph. The latter measure, being viewed as an act of proscription against the South, was justly offensive to her; although indeed the repeal was scarcely more than a matter of prin-

ciple or sentiment, as the sagacious statesmen of the South were well aware that the States of the Northwest were likely, from the force of circumstances, to be settled by Northern people, and to be thus dedicated to their institutions. But it was then supposed that the phraseology of the Kansas-Nebraska Bill was not liable to misconstruction; and that when it was declared that the people of the Territories were to determine the question of slavery, it meant, of course, that they were to do so in the act of forming a State Constitution and deciding upon other institutions of the State as well as that of slavery.

In the North, the repeal of the Missouri Compromise was the occasion of a furious excitement. Mr. Douglas was hung in effigy in some of their towns, execrated by Northern mobs, and even threatened with violence to his person. The anti-slavery sentiment of the North was rapidly developed in the excitement; a new party was organized with reference to the question of slavery in the Territories; and thus originated the famous Republican party—popularly called the Black Republican party—which was indeed identical with the Abolition party in its sentiment of hostility to slavery, and differed from it only as to the degree of indirection by which its purpose might best be accomplished. This party comprised the great mass of the intellect and wealth of the North. It was also the Protectionist party. Its leaning was in favor of strong government, and whatever there might be of aristocracy in the North belonged to it.

The new party sprung at once into an amazing power. In the Presidential canvass of 1852, which had resulted in the election of Mr. Pierce, John P. Hale, who ran upon what was called the "straight-out" Abolition ticket, did not receive the vote of a single State, and but 175,296 of the popular vote of the Union. But upon the repeal of the Missouri Compromise, Abolitionism, in the guise of "Republicanism," swept almost everything before it in the North and Northwest in the elections of 1854 and 1855; and in the Thirty-first Congress, Nathaniel Banks, an objectionable Abolitionist of the Massachusetts school, was elected to the speakership of the House.

In the meantime, the language of the Kansas-Nebraska Bill was the subject of no dispute. No one supposed that from this language there was to originate an afterthought on the part of Mr. Douglas, and that, by an ingenious torture of words, this measure was to be converted into one to conciliate the anti-slavery sentiment of the North, and to betray the interests of the South. This afterthought was doubtless the consequence of the rapid growth of the Black Republican party, and the conviction that the Democratic party in the North would only recover its power by some marked concession to the sectional sentiment now rapidly developing on the subject of slavery.

It should be noticed here that the doctrine of "non-intervention," which prohibited Congress from

interfering with the question of slavery in the Territories, had been affirmed by a judicial decision in the Supreme Court of the United States. In the famous "Dred Scott case," a negro demanded his freedom on the ground of legal residence beyond the latitude of $36^{\circ} 30'$ North—the line of the Missouri Compromise. The Supreme Court pronounced that Congress had no power to make that law; that it was therefore null and void; and declared "that the Constitution recognizes the right of property in a slave, and makes no distinction between that description of property and other property owned by a citizen;" and further, that every citizen had the clear right to go into any Territory, and take with him that which the Constitution recognized as his property.

So far the rights of the South in the Territories were thought to be plain; the design of the Black Republican party to exclude slavery therefrom by the Federal authority had been pronounced unconstitutional by the highest judicial authority in the country; and the Kansas-Nebraska bill was thought to be a plain letter, which taught that slavery was the subject of exclusive legislation by States, or by Territories in the act of assuming the character of States. But the South only stood on the threshold of a new controversy—another exhibition of the ingenuity of the anti-slavery sentiment to assert itself in new methods and on new issues.

DEFENSE OF THE KANSAS-NEBRASKA BILL

By Stephen A. Douglas

DOUGLAS, who is chiefly remembered for his memorable debates with Abraham Lincoln, formulated the doctrine of "squatter sovereignty," which denied the power of the Federal Government to legislate on slavery within the Territories, and recognized the right of the citizens of each Territory to legislate as they chose. The Kansas-Nebraska Bill, presented in 1854, brought upon Douglas much harsh criticism throughout the North, and indicated, on the other hand, the increasing strength of the upholders of slavery. He probably was the only man in Congress who would have ventured to introduce or could have carried through the Kansas-Nebraska Bill, a voluntary offering to the South by a Northern Democrat. It strengthened Douglas as a national political force, though he never attained his Presidential ambition. This account is an indirect form of reminiscence, and is of course a special plea.

AT the next meeting of Congress after the election of General Pierce, Mr. Douglas, as chairman of the Committee on Territories, reported the Kansas-Nebraska Bill, accompanied by a special report, in which he said, "that the object of the committee was to organize all Territories in the future upon the principles of the compromise measures of 1850. That these measures were intended to have a much broader and more enduring effect than to merely adjust the disputed questions growing out of the acquisition of

Mexican territory, by prescribing certain great fundamental principles, which, while they adjusted the existing difficulties, would prescribe rules of action in all

future time, when new Territories were to be organized or new States to be admitted into the Union." The report then proceeded to show that the principle upon which the Territories of 1850 were organized was, that the slavery question should be banished from the halls of Congress and the political arena, and referred to the Territories and States that were immediately interested in the question, and alone responsible for its existence; and concluded, by saying "that the bill reported by the committee proposed to carry into effect these principles in the precise language of the compromise measures of 1850."

By reference to those sections of the Kansas-Nebraska Act which define the powers of the Territorial Legislature, it will be perceived that they are in the precise language of the acts of 1850, and confer upon the Territorial Legislature power over all rightful subjects of legislation, consistent with the Constitution, without excepting African slavery.

During the discussion of this measure it was suggested that the 8th section of the act of March 6, 1820, commonly called the Missouri Compromise, would deprive the people of the Territory, while they remained in a Territorial condition of the right to decide the slavery question, unless said 8th section should be repealed. In order to obviate this objection, and to allow the people the privilege of controlling this question, while they remained in a Territorial condition, the said restriction was declared inoperative and void, by an amendment which was incorporated into the bill, on

the motion of Mr. Douglas, with these words in explanation of the object of the repeal: "it being the true intent and meaning of this act, not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." In this form, and with this intent, the Kansas-Nebraska Act became a law, by the approval of the President, on the 30th of May, 1854.

This bill and its author were principally assailed upon two points. First, that it was not necessary to renew slavery agitation, by the introduction of the measure; and secondly, that there was no necessity for the repeal of the Missouri restriction.

To the first objection it was replied, that there was a necessity for the organization of the Territory, which could no longer be denied or resisted. That Mr. Douglas, as early as the session of 1843, had introduced a bill to organize the Territory of Nebraska, . . . Mr. Douglas renewed the introduction of his bill for the organization of Nebraska Territory in each session of Congress, from 1844 to 1854, a period of ten years, and while he had failed to secure the passage of the act, in consequence of the Mexican war intervening, and the slavery agitation which ensued, no one had objected to it upon the ground that there was no necessity for the organization of the Territory. During the discussions upon our Territorial questions during this period, Mr. Douglas often called

attention to the fact that a line of policy had been adopted many years ago, and was being executed each year, which was entirely incompatible with the growth and development of our country. It had originated as early as the administration of Mr. Monroe, and had been continued by Mr. Adams, General Jackson, Mr. Van Buren, Harrison, and by Tyler, by which treaties had been made with the Indians to the east of the Mississippi River, for their removal to the country bordering upon the States west of the Mississippi or Missouri Rivers, with guaranties in said treaties that the country within which these Indians were located should never be embraced within any Territory or State, or subjected to the jurisdiction of either, so long as grass should grow and water should run. These Indian settlements, thus secured by treaty, commenced upon the northern borders of Texas, or Red River, and were continued from year to year westward, until, when in 1844, Mr. Douglas introduced his first Nebraska Bill, they had reached the Nebraska or Platte River, and the Secretary of War was then engaged in the very act of removing Indians from Iowa, and settling them in the valley of the Platte River, with similar guaranties of perpetuity, by which the road to Oregon was forever to be closed. It was the avowed object of this Indian policy to form an Indian barrier on the western borders of Arkansas, Missouri and Iowa, by Indian settlements, secured in perpetuity by a compact, that the white settlements should never extend westward

of that line. This policy originated in the jealousy, on the part of the Atlantic States, of the growth and expansion of the Mississippi Valley, which threatened in a few years to become the controlling power of the nation. Even Colonel Benton, of Missouri, who always claimed to be the champion of the West, made a speech, in which he erected the god Terminus upon the summit of the Rocky Mountains, facing eastward, and with uplifted hand, saying to Civilization and Christianity, "Thus far mayest thou go, and no farther!" and General Cass, while Secretary of War, was zealous in the execution of this policy. This restrictive system received its first check in 1844, by the introduction of the Nebraska Bill, which was served on the Secretary of War, by its author, on the day of its introduction, with a notice that Congress was about to organize the Territory, and therefore he must not locate any more Indians there. In consequence of this notice, the Secretary (by courtesy) suspended his operations until Congress should have an opportunity of acting upon the bill; and inasmuch as Congress failed to act that session, Mr. Douglas renewed his bill and notice to the Secretary each year, and thus prevented action for ten years, and until he could procure action on the bill. In the mean time the passion of the Western people for emigration had become so aroused that they could be no longer restrained; and Colonel Benton, who was a candidate in Missouri for reelection to the Senate in 1852 and 1853, so far yielded to the popular clamor as to ad-

vise the emigrants, who had assembled in a force of fifteen or twenty thousand on the western border of Missouri, carrying their tents and wagons, to invade the Territory and take possession, in defiance of the Indian intercourse laws, and of the authority of the Federal Government, which, if executed, must inevitably have precipitated an Indian war with all those tribes.

When this movement on the part of Colonel Benton became known at Washington, the President of the United States despatched the Commissioner of Indian Affairs to the scene of excitement, with orders to the commanding officer at Fort Leavenworth to use the United States army in resisting the invasion, if he could not succeed in restraining the emigrants by persuasion and remonstrances. The Commissioner of Indian Affairs succeeded in procuring the agreement of the emigrants that they would encamp on the western borders of Missouri until the end of the next session of Congress, in order to see if Congress would not in the mean time, by law, open the country to emigration. When Congress assembled at the session of 1853-'54, in view of this state of facts, Mr. Douglas renewed his Nebraska Act, which was modified, pending discussion, by dividing into two Territories, and became the Kansas-Nebraska Act. From these facts you can draw your own conclusion, whether there was any necessity for the organization of the Territory and of Congressional action at that time.

THE RISE OF THE REPUBLICAN PARTY

By George Washington Julian

JULIAN was a native of Indiana who, in 1848, became a leader of the Free-Soil movement, and in the following year was elected to Congress by a coalition of Whigs and Free-Soil Democrats. In 1852 he was a candidate for Vice-President on the Free-Soil ticket. With Charles Sumner and John P. Hale he threw the Free-Soil influence into the formation of the Republican Party, and in 1856 he was a delegate to its first Republican National Convention in Philadelphia, where he was chairman of the Committee on Organization.

The platform declared it to be "both the right and the duty of Congress to prohibit in the Territories those twin relics of barbarism, polygamy and slavery," and demanded the immediate admission of Kansas as a free State.

This account is taken from Julian's "Political Recollections" mainly of the period between 1852 and 1870, the last ten years of which he served as a Republican member of Congress.

WHEN President Pierce was inaugurated, on the fourth of March, 1853, the pride and power of the Democratic Party seemed to be at their flood. In his inaugural message he expressed the fervent hope that the slavery question was "forever at rest," and he doubtless fully believed that this hope would be realized. In his annual message, in December following, he lauded the compromise measures with great emphasis and declared that the repose which they had brought to the country should receive no shock during his term of office if he could avert it. . . .

In the beginning the session gave promise of a quiet one, but on the twenty-third of January the precious

repose of the country, to which the President had so lovingly referred in his message, was rudely shocked by the proposition of Senator Douglas to repeal the Missouri Compromise. This surprising demonstration from a leading friend of the Administration and a champion of the compromise measures marked a new epoch in the career of slavery, and rekindled the fires of sectional strife. After a very exciting debate in both houses, which lasted four months, the measure finally became a law on the thirtieth of May, 1854. It was a sprout from the grave of the Wilmot proviso; for if, under the Constitution, it was the duty of Congress to abandon the policy of restriction adopted in 1850, and provide that Utah and New Mexico should be received into the Union, with or without slavery, according to the choice of their people, the Missouri Compromise line should never have been established, and was a rock of offense to the slave holders. The Compromise Acts of 1850 had not abrogated that line, and related only to our Mexican acquisitions; but they had affirmed a principle, and if that principle was sound, the Missouri restriction was indefensible. The whole question of slavery was thus reopened, for the sacredness of the compact of 1820 and the wickedness of its violation depended largely upon the character of slavery itself, and our constitutional relations to it.

On all sides the situation was exceedingly critical and peculiar. The Whigs, in their now practically disbanded condition, were free to act as they saw fit,

and were very indignant at this new demonstration in the interest of slavery, while they were yet in no mood to countenance any form of "abolitionism." Multitudes of Democrats were equally indignant, and were quite ready to join hands with the Whigs in branding slavery with the violation of its plighted faith. Both made the sacredness of the bargain of 1820 and the crime of its violation the sole basis of their hostility. Their hatred of slavery was geographical, spending its force north of the Missouri restriction. They talked far more eloquently about the duty of keeping covenants, and the wickedness of reviving sectional agitation, than the evils of slavery and the cold-blooded conspiracy to spread it over an empire of free soil. Their watch-word and rallying cry was "the restoration of the Missouri Compromise;" but this demand was not made merely as a preliminary to other measures, which would restore the free States to the complete assertion of their constitutional rights, but as a means of propitiating the spirit of compromise, and a convenient retreat to the adjustment acts of 1850 and the "finality" platform of 1852. In some States and localities the anti-slavery position of these parties was somewhat broader; but as a general rule the ground on which they marshaled their forces was substantially what I have stated.

The position of the Free-Soilers was radically different. They opposed slavery upon principle, and irrespective of any compact or compromise. They

did not demand the restoration of the Missouri Compromise; and although they rejoiced at the popular condemnation of the perfidy which had repealed it, they regarded it as a false issue. It was an instrument on which different tunes could be played. To restore this compromise would prevent the spread of slavery over soil that was free; but it would reaffirm the binding obligation of a compact that should never have been made, and from which we were now offered a favorable opportunity of deliverance. . . .

The situation was complicated by two other political elements. One of these was Temperance, which now, for the first time, had become a most absorbing political issue. The "Maine Law" agitation had reached the West, and the demand of the temperance leaders was "search, seizure, confiscation, and destruction of liquors kept for illegal sale." . . .

The other element referred to made its appearance in the closing months of 1853, and took the name of the Know-Nothing Party. It was a secret oath-bound political order, and its demand was the proscription of Catholics and a probation of twenty-one years for the foreigner as a qualification for the right of suffrage. Its career was as remarkable as it was disgraceful. Thousands were made to believe that the Romish hierarchy was about to overthrow our liberties, and that the evils of "foreignism" had become so alarming as to justify the extraordinary measures by which it was proposed to counteract them. . . . It drew to itself, as the great festering center of corruption, all

the known rascalities of the previous generation and assigned them to active duty in its service. It was an embodied lie of the first magnitude, a horrid conspiracy against decency, the rights of man, and the principle of human brotherhood.

Its birth, simultaneously with the repeal of the Missouri Compromise, was not an accident, as any one could see who had studied the tactics of the slaveholders. It was a well-timed scheme to divide the people of the free States upon trifles and side issues, while the South remained a unit in defense of its great interest. It was the cunning attempt to balk and divert the indignation aroused by the repeal of the Missouri restriction, which else would spend its force upon the aggressions of slavery; for by thus kindling the Protestant jealousy of our people against the Pope, and enlisting them in a crusade against the foreigner, the South could all the more successfully push forward its schemes. . . .

Such were the elements which mingled and commingled in the political ferment of 1854, and out of which an anti-slavery party was to be evolved capable of trying conclusions with the perfectly disciplined power of slavery. The problem was exceedingly difficult, and could not be solved in a day. The necessary conditions of progress could not be slighted, and the element of time must necessarily be a large one in the grand movement which was to come. The dispersion of the old parties was one thing, but the organization of their fragments into a new one on a

just basis was quite a different thing. The honor of taking the first step in the formation of the Republican party belongs to Michigan, where the Whigs and Free Soilers met in State convention on the sixth of July, formed a complete fusion into one party, and adopted the name Republican. This action was followed soon after by like movements in the States of Wisconsin and Vermont. In Indiana a State "fusion" convention was held on the thirteenth of July, which adopted a platform, nominated a ticket, and called the new movement the "People's Party." The platform, however, was narrow and equivocal, and the ticket nominated had been agreed on the day before by the Know-Nothings, in secret conclave, as the outside world afterward learned. The ticket was elected, but it was done by combining opposite and irreconcilable elements, and was not only barren of good fruits but prolific of bad ones, through its demoralizing example; for the same dishonest game was attempted the year following, and was overwhelmingly defeated by the Democrats.

In New York the Whigs refused to disband, and the attempt to form a new party failed. The same was true of Massachusetts and Ohio. The latter State, however, in 1855, fell into the Republican column, and nominated Mr. Chase for Governor, who was elected by a large majority. A Republican movement was attempted this year in Massachusetts, where conservative Whiggery and Know-Nothingism blocked the way of progress, as they did also in the

State of New York. In November of the year 1854 the Know-Nothing Party held a National Convention in Cincinnati, in which the hand of slavery was clearly revealed, and the "Third Degree," or pro-slavery obligation of the order, was adopted; and it was estimated that at least a million and a half of men afterward bound themselves by this obligation. In June of the following year another National Convention of the order was held in Philadelphia, and at this convention the party was finally disrupted on the issue of slavery, and its errand of mischief henceforward prosecuted by fragmentary and irregular methods; but even the Northern wing of this Order was untrustworthy on the slavery issue, having proposed, as a condition of union, to limit its anti-slavery demand to the restoration of the Missouri restriction and the admission of Kansas and Nebraska as free States.

. . . An unprecedented struggle for the Speakership began with the opening of the Thirty-fourth Congress, and lasted till the second day of February, when the free States finally achieved their first victory in the election of Banks. Northern manhood at last was at a premium, and this was largely the fruit of the "border ruffian" attempts to make Kansas a slave State, which had stirred the blood of the people during the year 1855. In the meantime, the arbitrary enforcement of the Fugitive Slave Act still further contributed to the growth of an anti-slavery opinion. The famous case of Anthony Burns in Boston, the

prosecution of S. M. Booth in Wisconsin, and the decision of the Supreme Court of that State, the imprisonment of Passmore Williamson in Philadelphia, and the outrageous rulings of Judge Kane, and the case of Margaret Garner in Ohio, all played their part in preparing the people of the free States for organized political action against the aggressions of slavery.

Near the close of the year 1855, the chairmen of the Republican State Committees of Ohio, Massachusetts, Pennsylvania, Vermont and Wisconsin issued a call for a National Republican Convention to be held at Pittsburgh, on the 22d of February, 1856, for the purpose of organizing a National Republican party, and making provision for a subsequent convention to nominate candidates for President and Vice President. It was very largely attended, and bore witness to the spirit and courage which the desperate measures of the slave oligarchy had awakened throughout the Northern States. All the free States were represented, and eight of the slave holding ones. . . . The convention assembled in Lafayette Hall and the Hon. John A. King, of New York, a son of Rufus King, was made temporary chairman, and Francis P. Blair, of Maryland, the intimate friend of President Jackson, was made its permanent president. It was quite manifest that it was a Republican Convention, and not a mere aggregation of Whigs, Know-Nothings and dissatisfied Democrats. It contained a considerable Know-Nothing

element, but it made no attempt at leadership. . . . The convention was in session two days, and was singularly harmonious throughout. Its resolutions and addresses to the people did not fitly echo the feeling and purpose of its members, but this was a preliminary movement, and it was evident that nothing could stay the progress of the cause. As chairman of the committee on organization, I had the honor to report the plan of action through which the new party took life, providing for the appointment of a National Executive Committee, the holding of a National Convention in Philadelphia on the seventeenth of June, for the nomination of candidates for President and Vice-President, and the organization of party in counties and districts throughout the States.

The Philadelphia convention was very large, and marked by unbounded enthusiasm. The spirit of liberty was up, and side issues forgotten. If Know-Nothingism was present, it prudently accepted an attitude of subordination. The platform reasserted the self-evident truth of the Declaration of Independence, and denied that Congress, the people of a Territory, or any other authority, could give legal existence to slavery in any Territory of the United States. It asserted the sovereign power of Congress over the Territories, and its right and duty to prohibit it therein. Know-Nothingism received no recognition, and the double-faced issue of the restoration of the Missouri Compromise was disowned, while the free-

dom of Kansas was dealt with as a mere incident of the conflict between liberty and slavery. On this broad platform John C. Fremont was nominated for President on the first ballot, and William L. Dayton was unanimously nominated for Vice-President.

The National Republican Party was thus splendidly launched, and nothing seemed to stand in the way of its triumph but the mischievous action of the Know-Nothing Party, and a surviving faction of pro-slavery Whigs. . . .

CIVIL WAR IN KANSAS

By Thomas H. Gladstone

THIS account of the guerrilla warfare carried on by the rival Pro-Slavery and Free-State Parties in Kansas during 1855-6 is by a kinsman of the great English Prime Minister, William E. Gladstone, who was touring the United States when he witnessed the events here described. His observations were to a large extent from the pro-slavery side; and his correspondence, first published in the London "Times," is perhaps the most impartial existing contemporary narrative of that border-state struggle.

Following the sacking of Lawrence by the Pro-Slavery men occurred the massacre of five men on Pottawatomie Creek by John Brown and his sons, on May 23, 1856. Thus begun, the border war continued through the month of June until Federal troops suppressed the combatants. On July 4, 1856, the Free-State Legislature met at Topeka, but was dispersed.

THE autumn of 1854 witnessed the erection of the first log-huts of Lawrence [Kansas] by a few families of New England settlers. During the year 1855 its population increased rapidly, chiefly by the arrival of emigrants from the Northern States. Its log-hut existence gave way to a more advanced stage, in which buildings of brick and stone were introduced; and the growing prosperity of the "Yankee town" early began to excite the jealousy of the abettors of slavery. Viewed as the strong-

hold of the Free-State Party, it was made the point of attack during what was called "the Wakarusa war" in the winter of 1855. Before the termination of this its first siege, the necessity of some means of defense being manifest, the inhabitants of Lawrence proceeded

to fortify their town by the erection of four or five circular earthworks, thrown up about seven feet in height, and measuring a hundred feet in diameter. These were connected with long lines of earthwork entrenchments, rifle-pits, and other means of fortification. Whilst these engineering operations were being carried on, the men might have been seen, day and night, working in the trenches, in haste to complete the defense of their Western Sebastopol. The inhabitants were also placed under arms, formed into companies, with their respective commanders, under the generalship of Robinson and Lane, had their daily drill, mounted guard day and night upon the forts, and sent out at night a horse-patrol to watch the outer posts, and give warning of approaching danger.

The pacification which followed the Wakarusa campaign in December, 1855, afforded only a temporary lull. Although war had ceased, the people did not cease to carry arms, and used them, when occasion offered, with fatal effect. The Missourians did not conceal that they were organizing another invasion, which should effectually "wipe out Lawrence," and win Kansas for slavery, "though they should wade to the knees in blood to obtain it." The Southern States were being appealed to far and wide to aid by men and money in the extirpation of every Northern settler. . . .

The month of May arrived, and the state of parties continued as before. The pro-slavery, or, as it was commonly termed, the border-ruffian army, had, how-

ever, gained strength by large reinforcements from the States. Colonel Buford was there with his determined bands from Alabama, Colonel Titus from Florida, Colonel Wilkes and other with companies from South Carolina and Georgia, all of whom had sworn to fight the battles of the South in Kansas. The President, too, through his Secretary of War, had placed the Federal troops at the command of Governor Shannon, and the Chief Justice Leconte had declared, in a notable charge to a grand jury, that all who resisted the laws made by the fraudulently elected Legislature were to be found guilty of high treason. . . .

Meanwhile, Sheriff Jones rode about the country with a "posse" of United States troops, arresting whomsoever he pleased; the grand jury declared the Free-State Hotel and the offices of the "Herald of Freedom" and "Kansas Free-State" newspapers in Lawrence to be nuisances, and as such to be removed; Governor Robinson and several other men of influence in the Free-State cause were severally seized and held as prisoners; Free-State men were daily molested in the highway, some robbed, and others killed; and a constantly increasing army was encamping right and left of Lawrence, pressing daily more closely around it, and openly declaring that their intention was to "wipe out the traitorous city, and not to leave an abolitionist alive in the territory." . . .

At length the day approached when Lawrence was to fall. On the night previous to May 21st, could any

one have taken a survey of the country around, he would have seen the old encampment at Franklin, four miles to the southeast of Lawrence, which was occupied during the Wakarusa war, again bristling with the arms of Colonel Buford's companies, brought from the States. This formed the lower division of the invading army. On the west of Lawrence, at twelve miles distance, he would have seen another encampment in the neighborhood of Lecompton, occupied by the forces under Colonel Titus and Colonel Wilkes. These were reinforced by General Atchison, with his Platte County Rifles and two pieces of artillery; by Captain Dunn, heading the Kickapoo Rangers; by the Doniphan Tigers, and another company under General Clark, as well as by General Stringfellow, with his brother, the doctor, who had left for a time his editorship to take a military command, and other leaders, who brought up all the lawless rabble of the border-towns, to aid in the attack. These on the west of Lawrence formed the upper division. A large proportion were cavalry. The general control of the troops was in the hands of the United States Marshal, Donaldson, the whole body, of some six or eight hundred armed men, being regarded as a "posse comitatus" to aid this officer in the execution of his duties. . . .

During the forenoon Fain, the Deputy-Marshall, entered Lawrence with some assistants, to make arrests of its citizens. He failed, however, in provoking the resistance desired, on which to found a pretext

for attacking the city; for the citizens permitted the arrests to be made, and responded to his demand for a "posse" to aid him. . . .

The United States Marshal had now, he stated, no more need of the troops; but, as Sheriff Jones had some processes to serve in Lawrence, he would hand them over to him as a "posse comitatus."

Accordingly, in the afternoon, Jones rode into Lawrence at the head of twenty or more men, mounted and armed, and placed himself in front of the Free-State Hotel, demanding of General Pomeroy the surrender of all arms. He gave him five minutes for his decision, failing which the posse would be ordered to bombard the town. General Pomeroy gave up their brass howitzer and some small pieces, the only arms that were not private property. Jones then demanded the removal of the furniture from the the hotel, stating that the District Court for Douglas County had adjudged the hotel and the two Free-State newspaper offices to be nuisances, and as nuisances to be removed, and that he was there as Sheriff to execute these indictments, and summarily remove the obnoxious buildings.

In the mean time the forces had left the hill, and were at the entrance of the town, under Titus and Buford, Atchison and Stringfellow. . . .

The newspaper offices were the first objects of attack. First that of the "Free-State," then that of the "Herald of Freedom," underwent a thorough demolition. The presses were in each case broken to pieces,

and the offending type carried away to the river. The papers and books were treated in like manner, until the soldiers became weary of carrying them to the Kaw, when they thrust them in piles into the street, and burnt, tore, or otherwise destroyed them.

From the printing offices they went to the hotel. . . .

As orders were given to remove the furniture, the wild mob threw the articles out of the windows, but shortly found more congenial employment in emptying the cellars. By this time four cannon had been brought opposite the hotel, and, under Atchison's command, they commenced to batter down the building. In this, however, they failed. The General's "Now, boys, let her rip!" was answered by some of the shot missing the mark, although the breadth of Massachusetts Street alone intervened, and the remainder of some scores of rounds leaving the walls of the hotel unharmed. They then placed kegs of gunpowder in the lower parts of the building, and attempted to blow it up. The only result was the shattering of some of the windows and other limited damage. At length, to complete the work which their own clumsiness or inebriety had rendered difficult hitherto, orders were given to fire the building in a number of places, and, as a consequence, it was soon encircled in a mass of flames. Before evening, all that remained of the Eldridge House was a portion of one wall standing erect, and for the rest a shapeless heap of ruins.

The firing of the cannon had been the signal for most of the women and children in Lawrence to leave the city. This they did, not knowing whither to turn their steps. The male portion of its citizens watched, without offering resistance, the destruction of the buildings named, and next had to see their own houses made the objects of unscrupulous plunder.

The sack of Lawrence occupied the remainder of the afternoon. Sheriff Jones, after gazing on the flames rising from the hotel, and saying that it was "the happiest day of his life," dismissed his "posse," and they immediately commenced their lawless pillage. In this officers and men all participated, and they did not terminate until they had rifled all the principal houses of whatever articles of value they could lay their hands upon, and had destroyed that which they could not carry away. Finally, Governor Robinson's house on Mount Oread was set fire to after it had been searched for papers and valuables, and its burning walls lit up the evening sky as the army of desperadoes, now wild with plunder and excesses, and maddened with drink, retired from the pillaged city.

The value of the property stolen and destroyed during the day in Lawrence is estimated to have amounted to nearly thirty thousand pounds sterling.

Life was fortunately not taken, as the inhabitants of Lawrence disappointed their invaders of a fight, by offering no resistance. . . .

Among all the scenes of violence I witnessed, it is remarkable that the offending parties were invariably

on the Pro-slavery side. The Free-State men appeared to me to be intimidated and overawed, in consequence not merely of the determination and defiant boldness of their opponents, but still more through the sanction given to these acts by the Government.

I often heard the remark that they would resist, but that they were resolved not to bring themselves into collision with the Federal power. . . .

Their later conduct, however, was different. In the hands of their oppressors all justice had been set at defiance. They had been driven out of house and home by an armed mob, acting under territorial authority. The Federal power had been appealed to in vain. The Free-State men were driven to desperation. It was but natural that some revulsion of feeling should be experienced. As it was, guerrilla parties were organized by some of the less passive spirits on the Free-State side, corresponding with those already existing amongst their opponents. These thought themselves justified in recovering stolen horses and other property. Other acts of retaliation occurred. In several instances the opposing parties came into collision, and violence ensued. For some time, therefore, after the attack upon Lawrence, an irregular strife was maintained, and a bitter remembrance filled each man's mind, and impelled to daily acts of hostility and not unfrequent bloodshed.

DRED SCOTT DECISION (1857)

By Chief Justice Roger Brooke Taney

TANEY succeeded John Marshall as Chief Justice of the United States Supreme Court in 1836. Under the Jackson Administration he had served as Attorney-General of the United States, and was inclined to a strict construction of the Constitution. He was prompted to deliver the Dred Scott decision, a great legal dictum, by the sincere hope that the prestige of a Supreme Court decision would settle forever the slavery question.

Dred Scott, a slave owned by Dr. Emerson, a Missouri resident, had been taken by his owner into Illinois, where slavery was prohibited, and had later been taken into Minnesota—a part of the Louisiana Purchase, in which slavery was expressly prohibited by the Missouri Compromise. Taken back to Missouri, he was aided by free-soil lawyers in suing for freedom, on the ground that, through his residence in territory where slavery was prohibited, he had lost his status as a slave and acquired that of a freeman. The decision was against him.

whose ancestors were negroes of the African race, and imported into this country, and sold and held as slaves. The only matter in issue before the court,

THE question is simply this: Can a negro, whose ancestors were imported into this country, and sold as slaves, become a member of the political community formed and brought into existence by the Constitution of the United States, and as such become entitled to all the rights, and privileges, and immunities, guaranteed by that instrument to the citizen? One of which rights is the privilege of suing in a court of the United States in the cases specified in the Constitution.

It will be observed that the plea applies to that class of persons only

therefore, is whether the descendants of such slaves, when they shall be emancipated, or who are born of parents who had become free before their birth, are citizens of a State, in the sense in which the word citizen is used in the Constitution of the United States. And this being the only matter in dispute on the pleadings, the court must be understood as speaking in this opinion of that class only, that is, of those persons who are the descendants of Africans who were imported into this country, and sold as slaves. . . .

The words "people of the United States" and "citizens" . . . mean the same thing. . . . The question before us is whether the class of persons described in the plea in abatement compose a portion of this people, and are constituent members of this sovereignty? . . .

In discussing this question, we must not confound the rights of citizenship which a State may confer within its own limits, and the rights of citizenship as a member of the Union. It does not by any means follow, because he has all the rights and privileges of a citizen of a State, that he must be a citizen of the United States. . . .

It is very clear . . . that no State can, by any act or law of its own, passed since the adoption of the Constitution, introduce a new member into the political community created by the Constitution of the United States. It cannot make him a member of this community by making him a member of its own.

And for the same reason it cannot introduce any person, or description of persons, who were not intended to be embraced in this new political family, which the Constitution brought into existence, but were intended to be excluded from it. . . .

It is true, every person, and every class and description of persons, who were at the time of the adoption of the Constitution recognized as citizens in the several States, became also citizens of this new political body; but none other; it was formed by them, and for them and their posterity, but for no one else. . . .

It becomes necessary, therefore, to determine who were citizens of the several States when the Constitution was adopted. . . .

In the opinion of the court, the legislation and histories of the times, and the language used in the Declaration of Independence, show that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, nor intended to be included in the general words used in that memorable instrument.

It is difficult at this day to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted. But the public history of every European nation displays it in a manner too plain to be mistaken.

They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. This opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing, or supposed to be open to dispute; and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as well as in matters of public concern, without doubting for a moment the correctness of this opinion.

And in no nation was this opinion more firmly fixed or more uniformly acted upon than by the English government and English people. They not only seized them on the coast of Africa, and sold them or held them in slavery for their own use; but they took them as ordinary articles of merchandise to every country where they could make a profit on them, and were far more extensively engaged in this commerce than any other nation in the world.

The opinion thus entertained and acted upon in England was naturally impressed upon the colonies they founded on this side of the Atlantic. And, ac-

cordingly a negro of the African race was regarded by them as an article of property, and held, and bought and sold as such, in every one of the thirteen colonies which united in the Declaration of Independence, and afterwards formed the Constitution of the United States. The slaves were more or less numerous in the different colonies, as slave labor was found more or less profitable. But no one seems to have doubted the correctness of the prevailing opinion of the time. . . .

The language of the Declaration of Independence is equally conclusive . . .

. . . "We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among them is life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted, deriving their just powers from the consent of the governed."

The general words above quoted would seem to embrace the whole human family, and if they were used in a similar instrument at this day would be so understood. But it is too clear for dispute, that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this Declaration; for if the language, as understood in that day, would embrace them, the conduct of the distinguished men who framed the Declaration of Independence would have been utterly and flagrantly inconsistent with the principles they

asserted; and instead of the sympathy of mankind, to which they so confidently appealed, they would have deserved and received universal rebuke and reprobation. . . .

But there are two clauses in the Constitution which point directly and specifically to the negro race as a separate class of persons, and show clearly that they were not regarded as a portion of the people or citizens of the government then formed.

One of these clauses reserves to each of the thirteen States the right to import slaves until the year 1808, if it thinks proper. . . . And by the other provision the States pledge themselves to each other to maintain the right of property of the master, by delivering up to him any slave who may have escaped from his service, and be found within their respective territories. . . . And these two provisions show, conclusively, that neither the description of persons therein referred to, nor their descendants, were embraced in any of the other provisions of the Constitution; for certainly these two clauses were not intended to confer on them or their posterity the blessings of liberty, or any of the personal rights so carefully provided for the citizen. . . .

The only two provisions which point to them and include them, treat them as property, and make it the duty of the government to protect it; no other power, in relation to this race, is to be found in the Constitution; and as it is a government of special, delegated, powers, no authority beyond these two provisions can

be constitutionally exercised. The government of the United States had no right to interfere for any other purpose but that of protecting the rights of the owner, leaving it altogether with the several States to deal with this race, whether emancipated or not, as each State may think justice, humanity, and the interests and safety of society, require. The States evidently intended to reserve this power exclusively to themselves.

. . . This court was not created by the Constitution for such purposes. Higher and graver trusts have been confided to it, and it must not falter in the path of duty. . . .

And upon a full and careful consideration of the subject, the court is of opinion that, upon the facts stated in the plea in abatement, Dred Scott was not a citizen of Missouri within the meaning of the Constitution of the United States, and not entitled as such to sue in its courts; and, consequently, that the circuit court had no jurisdiction of the case, and that the judgment on the plea in abatement is erroneous.

. . . the plaintiff . . . admits that he and his wife were born slaves, but endeavors to make out his title to freedom and citizenship by showing that they were taken by their own to certain places, hereinafter mentioned, where slavery could not by law exist, and that they thereby became free, and upon their return to Missouri became citizens of that State. . . .

The act of Congress, upon which the plaintiff relies, declares that slavery and involuntary servitude, except as a punishment for crime, shall be forever prohibited

in all that part of the territory ceded by France, under the name of Louisiana, which lies north of thirty-six degrees thirty minutes north latitude, and not included within the limits of Missouri. And the difficulty which meets us at the threshold of this part of the inquiry is, whether Congress was authorized to pass this law under any of the powers granted to it by the Constitution; for if the authority is not given by that instrument, it is the duty of this court to declare it void and inoperative, and incapable of conferring freedom upon any one who is held as a slave under the laws of any one of the States.

The counsel for the plaintiff has laid much stress upon that article in the Constitution which confers on Congress the power "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States;" but, in the judgment of the court, that provision has no bearing on the present controversy, and the power there given, whatever it may be, is confined, and was intended to be confined, to the territory which at that time belonged to, or was claimed by, the United States, and was within their boundaries as settled by the treaty with Great Britain, and can have no influence upon a territory afterwards acquired from a foreign government. It was a special provision for a known and particular territory, and to meet a present emergency, and nothing more. . . .

. . . The form of government to be established necessarily rested in the discretion of Congress. . . .

But the power of Congress over the person or property of a citizen can never be a mere discretionary power under our Constitution and form of government. The powers of the government and the rights and privileges of the citizen are regulated and plainly defined by the Constitution itself. And when the territory becomes a part of the United States, the Federal government enters into possession in the character impressed upon it by those who created it. It enters upon it with its powers over the citizen strictly defined, and limited by the Constitution, from which it derives its own existence, and by virtue of which alone it continues to exist and act as a government and sovereignty. It has no power of any kind beyond it; and it cannot, when it enters a territory of the United States, put off its character, and assume discretionary or despotic powers which the constitution has denied to it. It cannot create for itself a new character separated from the citizens of the United States, and the duties it owes them under the provisions of the Constitution. The territory being a part of the United States, the government and the citizen both enter it under the authority of the Constitution, with their respective rights defined and marked out; and the Federal government can exercise no power over his person or property, beyond what that instrument confers, nor lawfully deny any right which it has reserved. . . .

. . . in considering the question before us, it must be borne in mind that there is no law of nations stand-

ing between the people of the United States and their government, and interfering with their relation to each other . . . if the Constitution recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of the United States, whether it be legislative, executive, or judicial, has a right to draw such a distinction, or deny to it the benefit of the provisions and guarantees which have been provided for the protection of private property against the encroachments of the government.

Now, as we have already said in an earlier part of this opinion, upon a different point, the right of property in a slave is distinctly and expressly affirmed in the Constitution. . . . This is done in plain words—too plain to be misunderstood. And no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description. The only power conferred is the power coupled with the duty of guarding and protecting the owner in his rights.

Upon these considerations, it is the opinion of the court that the act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution, and is therefore void; and that neither Dred Scott himself, nor any of his family, were made free

by being carried into this territory; even if they had been carried there by the owner, with the intention of becoming a permanent resident. . . .

. . . And it is contended, on the part of the plaintiff, that he is made free by being taken to Rock Island, in the State of Illinois. . . .

. . . As Scott was a slave when taken into the State of Illinois by his owner, and was there held as such, and brought back in that character, his status, as free or slave, depended on the laws of Missouri, and not of Illinois.

THE FIRST RAILROAD TO THE MISSISSIPPI

By William Prescott Smith

THE author of this record of the first railroad to operate between the Atlantic seaboard and the Mississippi River participated in the opening of "The American Central Railroad Line" from Baltimore, Maryland, continuously to St. Louis, Missouri, in June, 1857. The immediate occasion which he describes was the completion of the Ohio and Mississippi Railroad direct from Cincinnati to St. Louis. In that year the Baltimore and Ohio Railroad was extended to Parkersburg on the Ohio River, and the Marietta and Cincinnati Railroad was completed. These three events are commemorated in the "Book of the Great Railway Celebrations of 1857," from which this article is taken.

As an appendix to it we publish a letter which appeared in the New York "Times" of June 7, 1857. It was written by its Washington correspondent, who was a member of the party which made the first through railroad trip from Baltimore to St. Louis.

obtain needed rest, or to see a little more of the city.

Provision was made to carry about twelve or fifteen hundred passengers, who started at six o'clock on

THE grand opening excursion over the Ohio and Mississippi Railroad was set down for Thursday, the 4th of June; but, in order to avoid the rush of the crowd, many of the guests started for St. Louis on the preceding evening. Still the number remaining of the large party concentrated at Cincinnati was immense, and it was deemed quite impossible to carry all over the road in one day, for want of sufficient passenger coaches to meet the extraordinary demand. Fortunately very many preferred remaining behind a few hours, in order to

Thursday morning, in two trains—the first containing the City Councils of Baltimore and Cincinnati, the principal municipal officers of Marietta and Chillicothe, a portion of the detective police of Cincinnati, a large number of ladies, and the representatives of the press, of whom there were about fifty present. This first train consisted of ten passenger cars, and the second of eight cars. General Cass having determined to visit his home, at Detroit, did not go on to St. Louis; and M. Sartiges also remained behind for a day.

The cars and engines were handsomely decorated, making a showy appearance as they dashed over the road. The rear car of the first train, in which were the families of the directors of the road, seemed something new in the history of railroad travelling. It was fitted up in four compartments, in each of which were two sofas, each sofa seating two persons, and being capable of transformation into berths for the same number. Several ordinary car chairs in addition made the numerical accommodations about one-third as large as those of ordinary cars. There were also a wash-room and toilet table in the car, and a patent heating furnace, which had the faculty of keeping out the dust and of cooling the air. With rich upholstery and elegant painting, these characteristics made the car one of extraordinary comfort for the traveller who was so fortunate as to secure one of its seats. Shortly after six o'clock, we got well under way, and were whirled along at a rapid rate for about

fifteen miles, when just as we came opposite the old homestead of General Harrison, at North Bend, the pumps of the engine gave out, and a detention of over half an hour was the consequence.

This gave the party an excellent opportunity of viewing the ancient residence of "Old Tip." It is a plain, republican frame house, two stories high, with wings of one story attached. It is much weather-beaten, and the white paint which once made its front glow in bright contrast with the green foliage of the venerable trees around it, looks pale and bluish. It is inhabited by the old soldier's widow. A few hundred yards distant, on a green and wooded slope, stands a simply arranged tomb, which holds the ashes of the hero of Tippecanoe.

The Ohio River monopolized the attention of the traveller for nearly twenty miles, the railroad being built right upon its bank, and between it and a range of low hills to the north or west of the stream. This narrow strip of level land is exceedingly rich, covered with beautiful gardens, from which rise many neat and tasteful gardeners' cottages, presenting an agreeable picture of prosperous and contented industry. On the steep sides of the hills which rise backward from this garden strip, cling the vineyards to which we are indebted for the Catawba wines. Across the river, rise the Kentucky hills, green and grand, dotted and decorated by country residences which seem to affect stateliness and dignity, when compared with their

more modest and unobtrusive neighbors on the Ohio banks.

General surprise was expressed by the guests at finding the railroad track so smooth and equal, taking into consideration the short time since it was completed. Its broad gauge, and commodious well-furnished cars, together with the fine scenery of the route, render it a most delightful road to travel over. Every precaution had been taken to render the trip a safe and pleasant one. Extra locomotives were passed at convenient points along the line, with steam up and fretting to be free, ready to take the place of any that should be disabled; and flagmen were distributed at intervals of a mile, to watch the track closely, and signalize the trains should danger of any sort present itself. Refreshments were freely supplied in the cars,—and the cold chicken, ice-cream, and sparkling catawba, were found particularly grateful after the hurried breakfast incidental to an early morning start.

Along the entire length of the line a jubilant feeling seemed to exist on the part of the inhabitants, and the road at the different stations was thronged with men, women and children. In several places the passing trains were saluted with discharges of cannon, and similar demonstrations. At Aurora, we left the Ohio River, and turned into the State of Indiana, through the immense forest of which we progressed for some hours. Vast beech and ash forests, stiff clay soil, small dwellings, and occasional small village, all hav-

ing a rough look of newness, and barren of beauty or comfort. Much of the land is a swamp, the ground covered with gigantic trunks of fallen trees, in all stages of decay. Occasionally a road, some of them planked, all running north and south and east and west, opened a long vista through the forest. Wherever cultivated, the soil seems very black and rich, the wheat good, standing up straight among the bleached trunks of the girdled trees.

The Big Miami River was crossed by a beautiful bridge twenty miles out, and about a mile further on the Indianapolis and Cincinnati Railroad was crossed, both roads here running on a level plain. There are stations every half dozen miles along the route, but our train stopped only at the most important ones. At North Vernon, 73 miles from Cincinnati, the road crosses the Madison and Indianapolis Railroad, and at Seymour about 14 miles further on the Jeffersonville and Indianapolis Railroad. Within a distance of sixty miles the road crosses the White River, quite a wide stream, four times, by as many substantially built bridges.

Continuing on our way, we arrived in due time at Fort Ritner, Indiana, a station named for one of the engineers of the road, 113 miles from Cincinnati. Here we were overtaken by the second train, and partook of a bountiful cold collation, with coffee, in the unfinished station-house. Proceeding on, no notable incident occurred until we arrived at Mitchell, 13 miles farther. At this place, a large number of

citizens greeted our arrival with repeated cheers, and a band performed inspiring music as we passed. Mitchell is named for Professor O. M. Mitchell of Cincinnati, to whom, as much as to any other one man, is due the honor of bringing this railroad to completion. His faith in the feasibility of the enterprise was evinced in such works as few men would have undertaken. Through his zealous instrumentality were procured the foreign loans, without which the work could never have been completed. Near this point are two caves, called Hamor's and Linn's caves. From the mouth of the former issues Lost River, which passes to this outlet for many miles under the ground. About the centre of the State, we come to a region of country that seems to be longer settled, the farms being clear of stumps and well tilled, and the buildings good and large.

The ancient city of Vincennes, Indiana, on the Wabash River, 192 miles from Cincinnati, and the "half-way house" between Cincinnati and St. Louis, was reached about 3 o'clock. A heavy rain was falling at the time, but great numbers of the citizens were out to receive the train. Flags were displayed from many of the buildings, and the roar of cannon announced the occurrence of an unusual event. Here a splendid dinner had been provided for the tourists by the citizens, under the management of the ladies—a portion of the tables being set under the trees where General Harrison made his celebrated treaty with Tecumseh. Everything in the shape of eatables,

that an epicure would desire, or that a noble effort to furnish an unrivalled repast could procure, was there in bountiful profusion. There was also no lack of generous wine. The welcome extended by the citizens of Vincennes was in all respects hearty and enthusiastic. Toasts and speeches naturally follow champagne; so a number of the former were soon offered, complimentary of the railroad and its managers, and speeches were made by Judge Ellis, of Vincennes, and Judge Lee, of Baltimore. While this was going on within the building, the outsiders were not forgotten—long tables were spread under temporary sheds, at which the citizens of Vincennes and many of those who have so successfully labored in completing the road, partook of a substantial repast.

The shrill whistle of the locomotive again summoned the party to the train. The new portion of the road having been passed over, the double locomotives were here dispensed with, and two new and beautiful iron steeds took their places, one to each train. They bore the significant names of "San Francisco" and "Sacramento." The enterprising young engine man, in charge of the former, predicted that, ere he closed his engineering career, he would have the honor of running his locomotive across the plains and mountains to the Golden city of the Pacific.

Leaving Vincennes, we immediately crossed the Wabash River on a large and splendid wooden bridge, built on the McCallum plan, and entered the State of Illinois, being welcomed to its soil by ex-Governor

Reynolds of that State. After crossing the flat prairie bottom, we entered upon the broad prairies, and for mile after mile flew on without meeting an acre of rolling ground, and nothing like a tree. Many fine dwellings, however, were passed on the prairie, and extensive herds of cattle were seen grazing on the fertile plains.

We crossed the Little Wabash River about 240 miles from Cincinnati, the branch of the Illinois Central Railroad at Odin, 275 miles out, and the main line of the Central Road at Sandoval, four miles further on. At Carlyle, a few miles beyond, the Kaskaskia River is passed by means of a handsome bridge, and at Caseyville, nine miles from St. Louis, the train reached the American Bottom, a large tract of low land that is occasionally overflowed, which probably gave the name of Egypt to the lower portion of this State. The passage through this region was mostly in the night, but the Egyptians were wide awake. Houses were illuminated at the various towns, wherever they had candles, and where they had not, tar barrels were burned instead. The inhabitants seemed to have turned out en masse, men, women and children, including babies.

No people have more cause to rejoice at the completion of this railroad enterprise, which opens to valuable markets a large extent of country hitherto almost valueless, although possessing the richest soil on the continent. Indeed, the soil for a hundred miles of our course over the prairie, scarce had seen a plough until

since the road between Cincinnati and Vincennes was opened. Now, the country is comparatively thickly settled, and the land, which four years ago was much of it quite unsalable, readily brings from five to fifteen dollars per acre. Indeed, nearly all the way from Vincennes to the Mississippi, the country was one never wearying monotony of living green, rich, deep, and dark. Never was a finer country seen, than that succession of long, level prairies, between St. Louis and Vincennes; and never did those prairies appear more beautiful and gladdening than when our party looked upon them, waving and swaying their wealth of emerald, soon to yellow into a richer wealth of golden grain.

AN EPOCH-MAKING EVENT IN TRANSPORTATION

The newspapers will furnish you, through their general correspondence, abundant accounts of the festivities marking the Ohio and Mississippi Railroad opening. Upon that score I could add nothing. Perhaps, however, you would like to hear, from one who has no individual interests to warp or color his judgment, some suggestions as to the advantages of this great work in point of location; in relation to the character of its construction, its probable durability, cost of working and repairs, and its prospect of developing a valuable way-business in both passengers and freight. Upon all these points I am free to say, that the Ohio and Mississippi road will compare most

favorably with any in the United States over which I have travelled,—and I am quite familiar with the principal railroad lines in the Northern, Eastern Middle, and North-western States. Of course I do not mean to say that the travel and traffic over this road are to become immediately as great as over any other; but I do mean that it passes through a country so fertile, and brings into prompt and the most direct communication points of such great commercial importance, that their speedy development under the stimulus and encouragement of this railroad enterprise, is an inevitable necessity, carrying with it a career of prosperity in the future for the road itself, which can scarcely be over-estimated.

The road between this point and Vincennes, Indiana, has been in operation for some time, and its advantages you probably know all about. It passes in an almost air-line over beautiful rolling prairies, plentifully interspersed with groves of timber, and watered by many small streams. Between Cincinnati and Seymour, also, the road is not altogether new. Here it winds its way along the margin of some rather crooked rivers, but the curves are easy, and generally the grades are light. Everywhere the land over which it passes is exceedingly fertile, holding out irresistible invitations to its speedy cultivation and development. This is true of nearly every mile of the route. Scarce an acre not easily susceptible of improvement is visible, if we except those covered by forests, the timber in which is valuable; and must furnish profitable em-

ployment for any army of industrious woodsmen. Indeed there is no comparison between Northern Indiana and the southern portion of the State, traversed by this road, so much does the latter surpass the former; and when the "Egypt" of Illinois shall be developed by the population sure to follow in the track of the locomotive, the boastful counties comprising the northern tier will need look to their laurels.

From Seymour to Vincennes—a hundred miles or more—the road is new. Here we expected to dance by car-loads to the music of the steam-whistle, as we were whirled along over a rough and uneven track. Never were we more dissappointed. Although the road is but partially ballasted, the universal testimony is that the running was smoother, steadier, and freer from jolting than that over the New Jersey and Camden and Amboy Railroads, long as the latter have been worked. This is owing in part, doubtless, to the broad gauge adopted by the Ohio and Mississippi Company, but it is due still more to the great care which has been taken in grading and solidifying the road-bed, in laying the track, and in the firm elasticity of the material of which the bed is composed. It is not often that these qualities of solidity and elasticity are so admirably combined. A very small proportion of trestle work has been found necessary throughout the entire line of this road,—the bridges are not numerous, but very substantial, and the construction in all respects gives promise of great durability and

very moderate cost for repairs, as there is little opportunity for land-slides, washing away of the road-bed, or any of the other accidental incidents which often enhance so largely the cost of keeping a road in order. It will readily be seen that the advantages enumerated—light grades, easy curves, long stretches of straight track, solidity of the road-bed and non-liability to suffer from rains or floods—combine to promise a cost of working the road rather below than above the average. Fuel is abundant and cheap,—to be had indeed in any quantity for the cost of cutting. Already the stream of paying travel begins to pour through this avenue of communication just opened between the Atlantic seaboard and the Mississippi,—and all along its line the farmers are anxiously awaiting the hour when they can transport their produce over it, and receive the supplies of light lumber and other staples required from abroad.

Perhaps you may deem me enthusiastic in my depiction. If so, I can only answer that I have expressed, in terms quite inadequate, the general and spontaneous convictions of myself and fellow-travellers, who kept our eyes open in going over the road for the express purpose of learning its character and judging of its probable future. I know nothing personally of its managers, save their liberality towards their guests upon this festive celebration; but if the affairs of the company are conducted with any thing approaching the skill and prudence which we may expect from

those who had the enterprise to carry so great a work to completion, I shall rely with entire confidence upon the not distant future to vindicate every word that I have here written.

THE FIRST ATLANTIC CABLE LAID, BUT IS A FAILURE

By Henry M. Field

HENRY M. FIELD, in whose *"History of the Atlantic Telegraph to the End of 1865"* this account appears, was a brother of Cyrus W. Field, the chief promotor of the cable. He was a Presbyterian minister, who in later life founded and edited the *"Evangelist,"* a New York weekly religious journal.

He writes here of the successful landing of the ends of the first Atlantic cable on the Irish and Newfoundland shores, and the transmission of the first message: "Europe and America are united by telegraph. Glory to God in the highest; on earth, peace and good-will toward men," on August 17, 1858. The commercial success of the cable was early demonstrated, but it soon became impaired and communication ceased in September of that year. It was not resumed until a new company was organized and a new cable laid and operated in 1866.

the minds of the public. It was a very grand but hopeless undertaking; and its projectors shared the usual lot of those who conceive vast designs, and venture on great enterprises which are not successful—to be

WHOEVER shall write the history of popular enthusiasms must give a large space to the Atlantic telegraph. Never did the tidings of any great achievement—whether in peace or war—more truly electrify a nation. No doubt, the impression was the greater because it took the country by surprise. Had the attempt succeeded in June it would have found a people prepared for it. But the failure of the first expedition, added to that of the previous year, settled the fate of the enterprise in

regarded with a mixture of derision and pity. Such was the temper of the public mind, when at noon of Thursday, the 5th of August, the following dispatch was received:

United States Frigate "Niagara,"
Trinity Bay, Newfoundland, August 5, 1858.

"To the Associated Press, New York:

"The Atlantic Telegraph fleet sailed from Queens-town, Ireland, Saturday, July 17th, and met in mid-ocean Wednesday, July 28th. Made the splice at 1 P.M., Thursday, the 29th, and separated—the "Agamemnon" and "Valorous," bound to Valentia, Ireland; the "Niagara" and "Gorgon," for this place, where they arrived yesterday, and this morning the end of the cable will be landed.

"It is 1,696 nautical, or 1,950 statute, miles from the telegraph-house at the head of Valentia harbor to the telegraph-house at the Bay of Bulls, Trinity Bay, and for more than two-thirds of this distance the water is over two miles in depth. The cable has been paid out from the "Agamemnon" at about the same speed as from the "Niagara." The electric signals sent and received through the whole cable are perfect.

"The machinery for paying out the cable worked in the most satisfactory manner, and was not stopped for a single moment from the time the splice was made until we arrived here.

"Captain Hudson, Messrs. Everett and Woodhouse, the engineers, the electricians, the officers of the ship,

and, in fact, every man on board the telegraph fleet, has exerted himself to the utmost to make the expedition successful, and by the blessing of Divine Providence it has succeeded.

"After the end of the cable is landed and connected with the land line of telegraph, and the "Niagara" has discharged some cargo belonging to the telegraph company, she will go to St. John's for coal, and then proceed at once to New York.

"Cyrus W. Field."

The impression of this simple announcement it is impossible to conceive. It was immediately telegraphed to all parts of the United States, and everywhere produced the greatest excitement. In some places all business were suspended; men rushed into the streets, and flocked to the offices where the news was received. An impressive scene was witnessed at a religious convocation in New England. At Andover, Massachusetts, the news arrived while the alumni of the Theological Seminary were celebrating their semicentennial anniversary by a dinner. One thousand persons were present, all of whom rose to their feet, and gave vent to their excited feelings by continued and enthusiastic cheers. When quiet was restored, Rev. Dr. Adams, of New York, said his heart was too full for a speech, and suggested, as the more fitting utterance of what all felt, that they should join in thanksgiving to Almighty God. Rev. Dr. Hawes of Hartford then led the assembly in fervent

prayer, acknowledging the great event as from the hand of God, and as calculated to hasten the triumphs of civilization and Christianity. Then all standing up together, sang, to the tune of Old Hundred, the majestic doxology. Thus, said Dr. Hawes, "we have now consecrated this new power, so far as our agency is concerned, to the building up of the truth." In New York the news was received at first with some incredulity. But as it was confirmed by subsequent dispatches, the city broke out into tumultuous rejoicing. Never was there such an outburst of popular feeling. In Boston a hundred guns were fired on the Common, and the bells of the city were rung for an hour to give utterance to the general joy. Similar scenes were witnessed in all parts of the United States. I have now before me the New York papers of August, 1858, and from the memorable 5th, when the landing took place, to the end of the month, they contain hardly anything else than popular demonstrations in honor of the Atlantic telegraph. It was indeed a national jubilee. . . .

The next morning, August 17th, the city of New York was awakened by the thunder of artillery. A hundred guns were fired in the Park at daybreak, and the salute was repeated at noon. At this hour, flags were flying from all the public buildings, and the bells of the principal churches began to ring, reminding one of Tennyson's ode to the happy Christmas bells that were ringing out the departing year:

“Ring out the old, ring in the new,
Ring out the false, ring in the true.”

That night the city was illuminated. Never had it seen such a brilliant spectacle. It seemed as if it were intended to light up the very heavens. Such was the blaze of light around the City Hall that the cupola caught fire, and was consumed, and the Hall itself narrowly escaped destruction. Similar demonstrations took place in other parts of the United States. . . .

While these demonstrations continued, every opposing voice was hushed in the chorus of national rejoicing; yet some there were, no doubt, who looked on with silent envy or whispered detraction. But who could grudge these honors to the hero of the hour—honors so hardly won, and which, as it proved, were soon to give place to harsh censures and unjust imputations?

Alas for all human glory! Its paths lead but to the grave. Death is the end of human ambition. That very day that a whole city rose up to do honor to the Atlantic telegraph and its author it gave its last throb, and that first cable was thenceforth to sleep forever silent in its ocean grave. The Atlantic cable was dead! That word fell heavy as a stone on the hearts of those who had staked so much upon it. Years of labor and millions of capital were swept away in an hour into the bosom of the pitiless sea.

"A HOUSE DIVIDED AGAINST ITSELF CANNOT STAND"

By Abraham Lincoln

IN April, 1858, the Democrats of Illinois indorsed the stand Stephen A. Douglas had taken in the Kansas dispute over slavery, and nominated him for the United States Senate. Lincoln expected and received the Republican nomination in June, and in accepting he delivered the carefully considered speech which contained the famous statement that "A house divided against itself cannot stand."

In July he challenged Douglas to the now celebrated series of debates, the direct result of which was to win the latter the Senatorship. Lincoln, however, was not arguing for the Senatorial prize alone, but was fighting for Republican success in the Presidential contest of 1860. The simplicity, force and fitness of this speech, and of his debates with Douglas, made him not only a national figure but a candidate for the Republican nomination for President.

been reached and passed. "A house divided against itself cannot stand." I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION: If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have

expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new, North as well as South.

Have we no tendency to the latter condition?

Let any one who doubts carefully contemplate that now almost complete legal combination—piece of machinery, so to speak—compounded of the Nebraska doctrine and the Dred Scott decision. Let him consider not only what work the machinery is adapted to do, and how well adapted; but also let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidences of design and concert of action among its chief architects, from the beginning.

The new year of 1854 found slavery excluded from more than half the States by State constitutions, and from most of the national territory by congressional prohibition. Four days later commenced the struggle which ended in repealing that congressional prohibition. This opened all the national territory to slavery, and was the first point gained.

But, so far, Congress only had acted; and an indorsement by the people, real or apparent, was indispensable to save the point already gained and give chance for more.

This necessity had not been overlooked, but had been provided for, as well as might be, in the notable argument of "squatter sovereignty," otherwise called "sacred right of self-government," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That if any one man choose to enslave another, no third man shall be allowed to object. . . . Then opened the roar of loose declamation in favor of "squatter sovereignty" and "sacred right of self-government." "But," said opposition members, "let us amend the bill so as to expressly declare that the people of the Territory may exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

While the Nebraska Bill was passing through Congress, a law case involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free State and then into a territory covered by the congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the District of Missouri; and both Nebraska Bill and lawsuit were brought to a decision in the same month of May, 1854. The negro's name was Dred Scott, which name now designates the decision finally made in the case. Before the then next Presidential election, the law case came to and was argued in the Supreme Court of the United States. . . .

The election came. Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. . . . The Supreme Court met again; did not announce their decision, but ordered a reargument. The Presidential inauguration came, and still no decision of the Court; but the incoming President in his inaugural address fervently exhorted the people to abide by the forthcoming decision, whatever it might be. Then, in a few days, came the decision.

The reputed author of the Nebraska Bill finds an early occasion to make a speech at this capital indorsing the Dred Scott Decision, and vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained!

At length a squabble springs up between the President and the author of the Nebraska Bill, on the mere question of fact, whether the Lecompton constitution was or was not, in any just sense, made by the people of Kansas; and in that quarrel the latter declares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted down or voted up. I do not understand his declaration that he cares not whether slavery be voted down or voted up to be intended by him other than as an apt definition of the policy he would impress upon the public mind—the principle for which he declares he has suffered so

much, and is ready to suffer to the end. And well may he cling to that principle. If he has any parental feeling, well may he cling to it. That principle is the only shred left of his original Nebraska doctrine. Under the Dred Scott Decision "squatter sovereignty" squatted out of existence, tumbled down like temporary scaffolding,—like the mold at the foundry, served through one blast and fell back into loose sand,—helped to carry an election, and then was kicked to the winds. . . .

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen,—Stephen, Franklin, Roger and James, for instance,—and we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few, not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case we find it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck. . . .

Our cause, then, must be intrusted to, and conducted by, its own undoubted friends—those whose hands are free, whose hearts are in the work, who do care for the result. Two years ago the Republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, and even hostile elements, we gathered from the four winds, and formed and fought the battle through, under the constant hot fire of a disciplined, proud, and pampered enemy. Did we brave all then to falter now?—now when that same enemy is wavering, dissevered, and belligerent? The result is not doubtful. We shall not fail—if we stand firm, we shall not fail. Wise counsels may accelerate or mistakes delay it, but, sooner or later, the victory is sure to come.

THE CAPTURE OF JOHN BROWN

Col. Robert E. Lee's Official Report

[*LEADING a band of white and black marauders into Harper's Ferry, West Virginia, on the night of October 16, 1859, John Brown, who had gained national notoriety by his stand against pro-slavery forces in Kansas, seized the Federal arsenal as a signal for general insurrection of the slaves. This audacious act, however, proved to be disastrous to the participants, and so aroused the South as to preclude any peaceful solution of the slavery problem.*

Colonel Lee, afterward Commander-in-Chief of the Confederate Armies, commanded the Federal troops, which suppressed the raid and captured Brown, as here related. Lee, who had served through the Mexican War and been superintendent of West Point, was visiting his family in Virginia, on furlough from service in Texas, at the time.

I HAVE the honor to report, for the information of the Secretary of War, that on arriving here on the night of the 17th instant, in obedience to Special Orders No. 194 of that date from your office, I learned that a party of insurgents, about 11 p. m. on the 16th, had seized the watchmen stationed at the armory, arsenal, rifle factory, and bridge across the Potomac, and taken possession of those points. They then dispatched six men, under one of their

party called Captain Aaron C. Stevens, to arrest the principal citizens in the neighborhood and incite the negroes to join in the insurrection. The party took Colonel L. W. Washington from his bed about 1:30 a. m. on the 17th, and brought him, with four of his servants, to this place. Mr. J. H. Allstadt and six of his servants were in the same manner seized

about 3 a. m., and arms placed in the hands of the negroes. Upon their return here, John E. Cook, one of the party sent to Mr. Washington's, was dispatched to Maryland, with Mr. Washington's wagon, two of his servants, and three of Mr. Allstadt's, for arms and ammunition, etc.

As day advanced, and the citizens of Harper's Ferry commenced their usual avocations, they were separately captured, to the number of forty, as well as I could learn, and confined in one room of the fire-engine house of the armory, which seems early to have been selected as a point of defense. About 11 a. m. the volunteer companies from Virginia began to arrive, and the Jefferson Guards and volunteers from Charlestown, under Captain J. W. Rowen, I understood, were first on the ground. The Hamtramck Guards, Captain V. M. Butler; the Shepherdstown troop, Captain Jacob Reinhart; and Captain Alburtis's company from Martinsburg arrived in the afternoon. These companies, under the direction of Colonels R. W. Taylor and John T. Gibson, forced the insurgents to abandon their positions at the bridge and in the village, and to withdraw within the armory inclosure, where they fortified themselves in the fire-engine house, and carried ten of their prisoners for the purpose of insuring their safety and facilitating their escape, whom they termed hostages. . . .

After sunset more troops arrived. Captain B. B. Washington's company from Winchester, and three

companies from Fredericktown, Md., under Colonel Shriver. Later in the evening the companies from Baltimore, under General Charles C. Edgerton, second light brigade, and a detachment of marines, commanded by Lieutenant J. Green accompanied by Major Russell, of that corps, reached Sandy Hook, about one and a half miles east of Harper's Ferry. At this point I came up with these last-named troops, and leaving General Edgerton and his command on the Maryland side of the river for the night, caused the marines to proceed to Harper's Ferry, and placed them within the armory grounds to prevent the possibility of the escape of the insurgents. Having taken measures to halt, in Baltimore, the artillery companies ordered from Fort Monroe, I made preparations to attack the insurgents at daylight. But for the fear of sacrificing the lives of some of the gentlemen held by them as prisoners in a midnight assault, I should have ordered the attack at once.

Their safety was the subject of painful consideration, and to prevent, if possible, jeopardizing their lives, I determined to summon the insurgents to surrender. As soon after daylight as the arrangements were made, Lieutenant J. E. B. Stewart, First Calvary, who had accompanied me from Washington as staff officer, was dispatched, under a flag, with a written summons. . . . Knowing the character of the leader of the insurgents, I did not expect it would be accepted. I had therefore directed that the volunteer troops, under their respective commanders, should be

paraded on the lines assigned them outside the armory, and had prepared a storming party of twelve marines, under their commander, Lieutenant Green, and had placed them close to the engine-house, and secure from its fire. Three marines were furnished with sledge-hammers to break in the doors, and the men were instructed how to distinguish our citizens from the insurgents; to attack with the bayonet, and not to injure the blacks detained in custody unless they resisted. Lieutenant Stewart was also directed not to receive from the insurgents any counter propositions. If they accepted the terms offered, they must immediately deliver up their arms and release their prisoners. If they did not, he must, on leaving the engine-house, give me the signal. My object was, with a view of saving our citizens, to have as short an interval as possible between the summons and the attack.

The summons, as I had anticipated, was rejected. At the concerted signal the storming party moved quickly to the door and commenced the attack. The fire-engines within the house had been placed by the besieged close to the doors. The doors were fastened by ropes, the spring of which prevented their being broken by the blows of the hammers. The men were therefore ordered to drop the hammers, and, with a portion of the reserve, to use as a battering-ram a heavy ladder, with which they dashed in a part of the door and gave admittance to the storming party. The fire of the insurgents up to this

time had been harmless. At the threshold one marine fell mortally wounded. The rest, led by Lieutenant Green and Major Russell, quickly ended the contest. The insurgents that resisted were bayoneted. Their leader, John Brown, was cut down by the sword of Lieutenant Green, and our citizens were protected by both officers and men. The whole was over in a few minutes. . . .

From the information derived from the papers found upon the persons and among the baggage of the insurgents, and the statement of those now in custody, it appears that the party consisted of nineteen men—fourteen white and five black. That they were headed by John Brown, of some notoriety in Kansas, who in June last located himself in Maryland, at the Kennedy farm, where he has been engaged in preparing to capture the United States works at Harper's Ferry. He avows that his object was the liberation of the slaves of Virginia, and of the whole South; and acknowledges that he has been disappointed in his expectations of aid from the black as well as white population, both in the Southern and Northern States. The blacks whom he forced from their homes in this neighborhood, as far as I could learn, gave him no voluntary assistance. . . . The result proves that the plan was the attempt of a fanatic or madman, which could only end in failure; and its temporary success was owing to the panic and confusion he succeeded in creating by magnifying his numbers.

JOHN BROWN'S LAST SPEECH AND LETTERS

Address to the Court (Nov. 2, 1859)

THESE documents are taken from "The Life and Letters of John Brown," by Frank B. Sanborn, a biography written as it was by one so intimate with his work and purposes, that is likely to remain the final, authoritative word.

In addition to these letters, a final one which Brown wrote and handed to his jail guard on the morning of the execution, December 2, 1859, reads: "I, John Brown, am now quite certain that the crimes of this guilty land will never be purged away but with blood. I had, as I now think vainly, flattered myself that without very much bloodshed it might be done."

Of Brown's twenty children, eight died in early childhood. Four of his sons participated in the Harper's Ferry raid.

ada. I designed to have done the same thing again, on a larger scale. That was all I intended. I never did intend murder, or treason, or the destruction of property, or to excite or incite slaves to rebellion, or to make insurrection.

I have another objection; and that is, it is unjust that I should suffer such a penalty. Had I interfered in the manner which I admit, and which I admit has

I HAVE, may it please the Court, a few words to say.

In the first place, I deny everything but what I have all along admitted, the design on my part to free the slaves. I intended certainly to have made a clean thing of that matter, as I did last winter, when I went into Missouri and there took slaves without the snapping of a gun on either side, moved them through the country, and finally left them in Can-

been fairly proved (for I admire the truthfulness and candor of the greater portion of the witnesses who have testified in this case),—had I so interfered in behalf of the rich, the powerful, the intelligent, the so-called great, or in behalf of any of their friends,—either father, mother, brother, sister, wife, or children, or any of that class,—and suffered and sacrificed what I have in this interference, it would have been all right; and every man in this court would have deemed it an act worthy of reward rather than punishment.

This court acknowledges, as I suppose, the validity of the law of God. I see a book kissed here which I suppose to be the Bible, or at least the New Testament. That teaches me that all things whatsoever I would that men should do to me, I should do even so to them. It teaches me, further, to “remember them that are in bonds, as bound with them.” I endeavored to act up to that instruction. I say, I am yet too young to understand that God is any respecter of persons. I believe that to have interfered as I have done—as I have always freely admitted I have done—in behalf of His despised poor, was not wrong, but right. Now, if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice, and mingle my blood further with the blood of my children and with the blood of millions in this slave country whose rights are disregarded by wicked, cruel, and unjust enactments,—I submit; so let it be done!

Let me say one word further.

I feel entirely satisfied with the treatment I have received on my trial. Considering all the circumstances, it has been more generous than I expected. But I feel no consciousness of guilt. I have stated from the first what was my intention, and what was not. I never had any design against the life of any person, nor any disposition to commit treason, or excite slaves to rebel, or make any general insurrection. I never encouraged any man to do so, but always discouraged any idea of that kind.

Let me say, also, a word in regard to the statements made by some of those connected with me. I hear it has been stated by some of them that I have induced them to join me. But the contrary is true. I do not say this to injure them, but as regretting their weakness. There is not one of them but joined me of his own accord, and the greater part of them at their own expense. A number of them I never saw, and never had a word of conversation with, till the day they came to me; and that was for the purpose I have stated.

Now I have done.

Charlestown, Jefferson County, Va.,
Oct. 31, 1859.

My dear Wife and Children, every one,—I suppose you have learned before this by the newspapers that two weeks ago to-day we were fighting for our lives at Harper's Ferry; that during the fight Watson was mortally wounded, Oliver killed, William Thompson killed, and Dauphin slightly wounded; that on the following day I was taken prisoner, immediately after which I received several sabre-cuts on my head and bayonet-stabs in my body. As nearly as I can learn, Watson died of his wound on Wednesday, the second—or on Thursday, the third—day after I was taken. Dauphin was killed when I was taken, and Anderson I suppose, also. I have since been tried, and found guilty of treason, etc., and of murder in the first degree. I have not yet received my sentence. No others of the company with whom you were acquainted were, so far as I can learn, either killed or taken. Under all these terrible calamities I feel quite cheerful in the assurance that God reigns and will overrule all for his glory and the best possible good. I feel no consciousness of guilt in the matter, nor even mortification on account of my imprisonment and irons; and I feel perfectly sure that very soon no member of my family will feel any possible disposition to "blush on my account." Already dear friends at a distance, with kindest sym-

pathy, are cheering me with the assurance that posterity, at least, will do me justice. I shall commend you all together, with my beloved but bereaved daughters-in-law, to their sympathies, which I do not doubt will soon reach you. I also commend you all to Him "whose mercy endureth forever,"—to the God of my fathers, "whose I am, and whom I serve." "He will never leave you nor forsake you," unless you forsake Him. Finally, my dearly beloved, be of good comfort. Be sure to remember and follow my advice, and my example, too, so far as it has been consistent with the holy religion of Jesus Christ,—in which I remain a most firm and humble believer. Never forget the poor, nor think anything you bestow on them to be lost to you, even though they may be black as Ebedmelech, the Ethiopian eunuch, who cared for Jeremiah in the pit of the dungeon; or as black as the one to whom Philip preached Christ. Be sure to entertain strangers, for thereby some have— "Remember them that are in bonds as bound with them."

I am in charge of a jailer like the one who took charge of Paul and Silas; and you may rest assured that both kind hearts and kind faces are more or less about me, while thousands are thirsting for my blood. "These light afflictions, which are but for a moment, shall work out for us a far more exceeding and eternal weight of glory." I hope to be able to write you again. Copy this, Ruth, and send it to your sorrow-stricken brothers to comfort them. Write me

a few words in regard to the welfare of all. God Almighty bless you all, and make you "joyful in the midst of all your tribulations!" Write to John Brown, Charlestown, Jefferson County, Va., care of Captain John Avis.

'Your affectionate husband and father,

John Brown.

P.S.—Yesterday, November 2, I was sentenced to be hanged on December 2 next. Do not grieve on my account. I am still quite cheerful. God bless you!

Yours ever,

John Brown.

JOHN BROWN'S LAST LETTER TO HIS FAMILY

Charlestown Prison, Jefferson County, Va.,
Nov. 30, 1859.

My dearly beloved Wife, Sons, and Daughters, every one,—As I now begin probably what is the last letter I shall ever write to any of you, I conclude to write to all at the same time. I will mention some little matters particularly applicable to little property concerns in another place.

I recently received a letter from my wife, from near Philadelphia, dated November 22, by which it would seem that she was about giving up the idea of seeing me again. I had written her to come on if she felt equal to the undertaking, but I do not know that she will get my letter in time. It was on

her own account, chiefly, that I asked her to stay back. At first I had a most strong desire to see her again, but there appeared to be very serious objections; and should we never meet in this life, I trust that she will in the end be satisfied it was for the best at least, if not most for her comfort.

I am waiting the hour of my public murder with great composure of mind and cheerfulness; feeling the strong assurance that in no other possible way could I be used to so much advantage to the cause of God and of humanity, and that nothing that either I or all my family have sacrificed or suffered will be lost. The reflection that a wise and merciful as well as just and holy God rules not only the affairs of this world, but of all worlds, is a rock to set our feet upon under all circumstances,—even those more severely trying ones in which our own feelings and wrongs have placed us. I have now no doubt but that our seeming disaster will ultimately result in the most glorious success. So, my dear shattered and broken family, be of good cheer, and believe and trust in God with all your heart and with all your soul; for he doeth all things well. Do not feel ashamed on my account, nor for one moment despair of the cause or grow weary of well-doing. I bless God I never felt stronger confidence in the certain and near approach of a bright morning and glorious day than I have felt, and do now feel, since my confinement here. I am endeavoring to return, like a poor prodigal, as I am, to my Father, against

whom I have always sinned, in the hope that he may kindly and forgivingly meet me, though a very great way off.

Oh, my dear wife and children, would to God you could know how I have been travailing in birth for you all, that no one of you may fail of the grace of God through Jesus Christ; that no one of you may be blind to the truth and glorious light of his Word, in which life and immortality are brought to light. I beseech you, every one, to make the Bible your daily and nightly study, with a child-like, honest, candid, teachable spirit of love and respect for your husband and father. And I beseech the God of my fathers to open all your eyes to the discovery of the truth. You cannot imagine how much you may soon need the consolations of the Christian religion. Circumstances like my own for more than a month past have convinced me, beyond all doubt, of my own great need of some theories treasured up, when our prejudices are excited, our vanity worked up to the highest pitch. Oh, do not trust your eternal all upon the boisterous ocean, without even a helm or compass to aid you in steering! I do not ask of you to throw away your reason; I only ask you to make a candid, sober use of your reason.

My dear young children, will you listen to this last poor admonition of one who can only love you? Oh, be determined at once to give your whole heart to God, and let nothing shake or alter that resolution. You need have no fears of regretting it. Do not

be vain and thoughtless, but sober-minded; and let me entreat you all to love the whole remnant of our once great family. Try and build up again your broken walls, and to make the utmost of every stone that is left. Nothing can so tend to make life a blessing as the consciousness that your life and example bless and leave others stronger. Still, it is ground of the utmost comfort to my mind to know that so many of you as have had the opportunity have given some proof of your fidelity to the great family of men. Be faithful unto death: from the exercise of habitual love to man it cannot be very hard to love his Maker. . . .

I beseech you all to live in habitual contentment with moderate circumstances and gains of worldly store, and earnestly to teach this to your children and children's children after you, by example as well as precept. Be determined to know by experience, as soon as may be, whether Bible instruction is of divine origin or not. Be sure to owe no man anything, but to love one another. John Rogers wrote to his children, "Abhor that arrant whore of Rome." John Brown writes to his children to abhor, with undying hatred also, that sum of all villanies,—slavery. Remember, "he that is slow to anger is better than the mighty," and "he that ruleth his spirit than he that taketh a city." Remember also that "they being wise shall shine, and they that turn many to righteousness, as the stars for ever and ever."

And now, dearly beloved family, to God and the work of his grace I commend you all.

Your affectionate husband and father,

John Brown.

HOW LINCOLN WAS NOMINATED

By Murat Halstead

ON May 18, 1860, Halstead wrote this account of the historic proceedings of the Republican National Convention which nominated Abraham Lincoln for the Presidency, for the Cincinnati "Commercial," as its special staff correspondent. He later became editor of the paper.

The Convention met on May 16 in the famous Wigwam at Chicago. Never before had so many delegates attended a National Convention. Two days were spent in organization and the adoption of a platform. Then came the balloting. Seward's nomination had seemed certain in the beginning, but on the third ballot Lincoln won, and Hannibal Hamlin, of Maine, was nominated for Vice-President. The platform, though denying the right of Congress to interfere with slavery in the States, demanded that it be forbidden in the Territories.

The air was full of rumors of the caucusing the night before, but the opposition of the doubtful States to Seward was an old story; and after the distress of Pennsylvania, Indiana & Co., on the subject of Seward's availability, had been so freely and ineffectu-

AFTER adjournment on Thursday (the second day), there were few men in Chicago who believed it possible to prevent the nomination of Seward. . . .

But there was much done after midnight and before the Convention assembled on Friday morning. There were hundreds of Pennsylvanians, Indianians and Illinoisans, who never closed their eyes that night. . . .

The Seward men generally abounded in confidence Friday morning.

ally expressed from the start, it was not imagined their protests would suddenly become effective. The Sewardites marched as usual from their head-quarters at the Richmond House after their magnificent band, which was brilliantly uniformed—epaulets shining on their shoulders, and white and scarlet feathers waving from their caps—marched under the orders of recognized leaders, in a style that would have done credit to many volunteer military companies. They were about a thousand strong, and protracting their march a little too far, were not all able to get into the wigwam. This was their first misfortune. They were not where they could scream with the best effect in responding to the mention of the name of William H. Seward.

When the Convention was called to order, breathless attention was given the proceedings. There was not a space a foot square in the wigwam unoccupied. There were tens of thousands still outside, and torrents of men had rushed in at the three broad doors until not another one could squeeze in. . . .

The applause, when Mr. Evarts named Seward, was enthusiastic. When Mr. Judd named Lincoln, the response was prodigious, rising and raging far beyond the Seward shriek. Presently, upon Caleb B. Smith seconding the nomination of Lincoln, the response was absolutely terrific. It now became the Seward men to make another effort, and when Blair of Michigan seconded his nomination,

"At once there rose so wild a yell,
Within that dark and narrow dell;
As all the fiends from heaven that fell
Had pealed the banner cry of hell."

The effect was startling. Hundreds of persons stopped their ears in pain. The shouting was absolutely frantic, shrill and wild. No Comanches, no panthers ever struck a higher note, or gave screams with more infernal intensity. Looking from the stage over the vast amphitheater, nothing was to be seen below but thousands of hats—a black, mighty swarm of hats—flying with the velocity of hornets over a mass of human heads, most of the mouths of which were open. Above, all around the galleries, hats and handkerchiefs were flying in the tempest together. The wonder of the thing was that the Seward outside pressure should, so far from New York, be so powerful.

Now the Lincoln men had to try it again, and as Mr. Delano of Ohio, on behalf "of a portion of the delegation of that State," seconded the nomination of Lincoln, the uproar was beyond description. . . . I thought the Seward yell could not be surpassed; but the Lincoln boys were clearly ahead, and feeling their victory, as there was a lull in the storm, took deep breaths all round, and gave a concentrated shriek that was positively awful, and accompanied it with stamping that made every plank and pillar in the building quiver. . . .

. . . The division of the first vote caused a fall in Seward stock. It was seen that Lincoln, Cameron and Bates had the strength to defeat Seward, and it was known that the greater part of the Chase vote would go for Lincoln. . . .

The Convention proceeded to a second ballot. . . . The first gain for Lincoln was in New Hampshire. The Chase and the Frémont vote from that State were given him. His next gain was the whole vote of Vermont. This was a blighting blow upon the Seward interest. The New Yorkers started as if an Orsini bomb had exploded. And presently the Cameron vote of Pennsylvania was thrown for Lincoln, increasing his strength forty-four votes. The fate of the day was now determined. New York was "check-mate" next move, and sullenly proceeded with the game, assuming unconsciousness of her inevitable doom. On this ballot Lincoln gained seventy-nine votes! Seward had $184\frac{1}{2}$ votes; Lincoln, 181. . . .

While this [the third] ballot was taken amid excitement that tested the nerves, the fatal defection from Seward in New England still further appeared—four votes going over from Seward to Lincoln in Massachusetts. The latter received four additional votes from Pennsylvania and fifteen additional votes from Ohio. . . . The number of votes necessary to a choice were two hundred and thirty-three, and I saw under my pencil, as the Lincoln column was completed, the figures $231\frac{1}{2}$ —one vote and a half to give him the nomination. In a moment the fact

was whispered about. A hundred pencils had told the same story. The news went over the house wonderfully, and there was a pause. There are always men anxious to distinguish themselves on such occasions. There is nothing that politicians like better than a crisis. I looked up to see who would be the man to give the decisive vote. . . . In about ten ticks of a watch, Cartter of Ohio was up. I had imagined Ohio would be slippery enough for the crisis. And sure enough! Every eye was on Cartter, and every body who understood the matter at all, knew what he was about to do. . . . He said, "I rise (eh), Mr. Chairman (eh), to announce the change of four votes of Ohio from Mr. Chase to Mr. Lincoln." The deed was done. There was a moment's silence. The nerves of the thousands, which through the hours of suspense had been subjected to terrible tension, relaxed, and as deep breaths of relief were taken, there was a noise in the wigwam like the rush of a great wind, in the van of a storm—and in another breath, the storm was there. There were thousands cheering with the energy of insanity.

A man who had been on the roof, and was engaged in communicating the results of the ballotings to the mighty mass of outsiders, now demanded by gestures at the sky-light over the stage, to know what had happened. One of the secretaries, with a tally sheet in his hands, shouted—"Fire the salute! Abe Lincoln is nominated!" As the cheering inside the wigwam subsided, we could hear that outside, where the news

of the nomination had just been announced. And the roar, like the breaking up of the fountains of the great deep, that was heard, gave a new impulse to the enthusiasm inside. Then the thunder of the salute rose above the din, and the shouting was repeated with such tremendous fury that some discharges of the cannon were absolutely not heard by those on the stage. Puffs of smoke, drifting by the open doors, and the smell of gunpowder, told what was going on.

The moment that half a dozen men who were on their chairs making motions at the President could be heard, they changed the votes of their States to Mr. Lincoln. . . .

While these votes were being given, the applause continued, and a photograph of Abe Lincoln which had hung in one of the side rooms was brought in, and held upon before the surging and screaming masses. The places of the various delegations were indicated by staffs, to which were attached the names of the States, printed in large black letters on pasteboard. As the Lincoln enthusiasm increased, delegates tore these standards of the States from their places and swung them about their heads. A rush was made to get the New York standard and swing it with the rest, but the New Yorkers would not allow it to be moved, and were wrathful at the suggestion.

When the vote was declared, Mr. Evarts, the New York spokesman, mounted the Secretaries' table and handsomely and impressively expressed his grief at the failure of the Convention to nominate Seward—

and in melancholy tones, moved that the nomination be made unanimous. . . .

. . . The town was full of the news of Lincoln's nomination, and could hardly contain itself . . . hundreds of men who had been in the wigwam were so prostrated by the excitement they had endured, and their exertions in shrieking for Seward or Lincoln, that they were hardly able to walk to their hotels. There were men who had not tasted liquor, who staggered about like drunkards, unable to manage themselves. The Seward men were terribly stricken down. They were mortified beyond all expression, and walked thoughtfully and silently away from the slaughter house, more ashamed than embittered. They acquiesced in the nomination, but did not pretend to be pleased with it; and the tone of their conversations, as to the prospect of electing the candidate, was not hopeful. It was their funeral, and they would not make merry. . . .

I left the city on the night train on the Fort Wayne and Chicago road. The train consisted of eleven cars, every seat full and people standing in the aisles and corners. . . . At every station where there was a village, until after two o'clock, there were tar barrels burning, drums beating, boys carrying rails; and guns, great and small, banging away. The weary passengers were allowed no rest, but plagued by the thundering jar of cannon, the clamor of drums, the glare of bonfires, the whooping of the boys, who were de-

lighted with the idea of a candidate for the Presidency, who thirty years ago split rails on the Sangamon River—classic stream now and for evermore—and whose neighbors named him “honest.”

THREATS OF SECESSION

By "Common Sense"

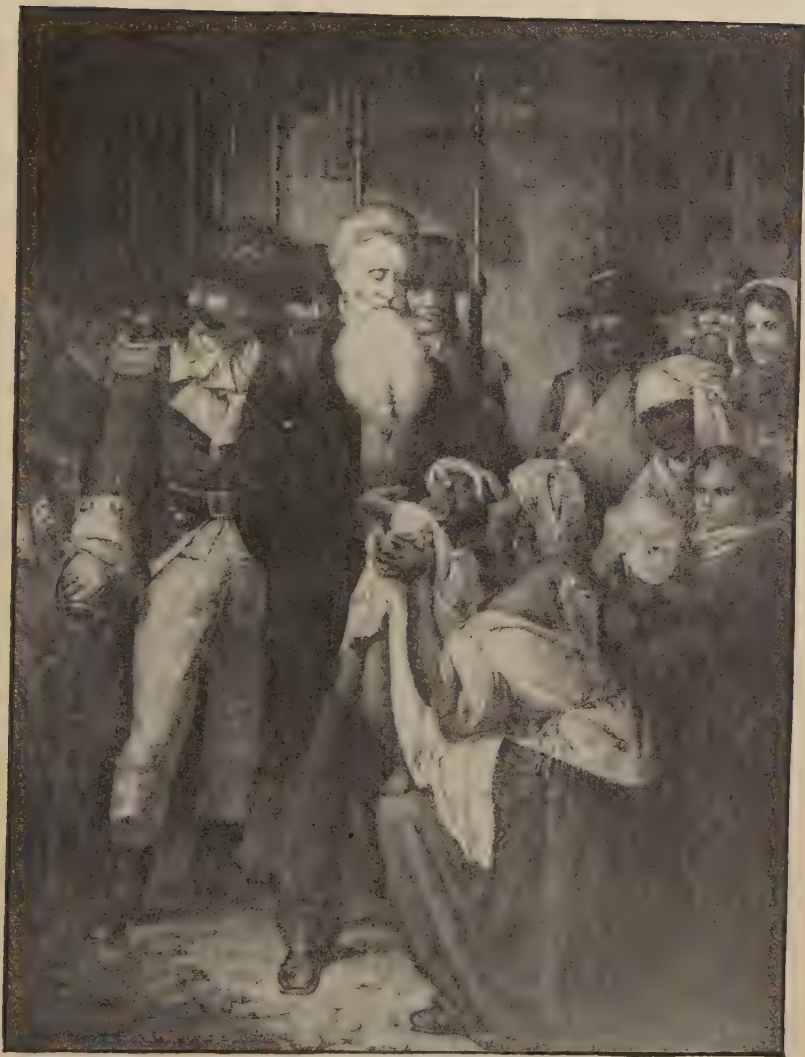
IT is of interest that the editor, R. B. Rhett, of the Charleston (South Carolina) "Mercury," who wrote and printed this stirring editorial on September 18, 1860, signed it "Common Sense," the pseudonym made famous by Thomas Paine in his pamphlets which inspired the Declaration of Independence. This Charleston newspaper had for a long time held advanced views on the question of secession, but the accompanying "cry of protest" is one of many indications that public opinion in the South, particularly in South Carolina, was rapidly taking the same shape.

Three months after this editorial appeared, a State convention met at Charleston and passed an ordinance declaring that "the union now existing between South Carolina and other States, under the name of the United States of America, is hereby dissolved."

THAT the time has come for the South to look to her interests, when considered in connection with the great political strife now existing between the two sections of this country, I think no true Southerner, who loves liberty and hates oppression, will attempt to deny. If there are any who think that the time has not yet arrived "when patience ceases to be a virtue," and when we, as a free people, should not cry out against the insults and impositions of the North,

and declare our independence to the world, they must indeed have charitable and forgiving souls. Isn't it enough that the rights of the South, in the sovereign capacity of her several States, have been most persistently denied her for forty years? Have we not, as a section, been insulted and oppressed, not only

at home, but in every Foreign Court in Christendom, by abolition fanatics, who should, as citizens of the same Government, regard us as brothers? The leaders and oracles of the most powerful party in the United States have denounced us as tyrants and unprincipled heathens, through the whole civilized world. They have preached it from their pulpits. They have declared it in the halls of Congress and in their newspapers. In their school-houses they have taught their children (who are to rule this Government in the next generation) to look upon the slaveholder as the especial disciple of the devil himself. They have published books and pamphlets in which the institution of slavery is held up to the world as a blot and a stain upon the escutcheon of America's honor as a nation. They have established Abolition Societies among them for the purpose of raising funds—first to send troops to Kansas to cut the throats of all the slaveholders there, and now to send emissaries among us to incite our slaves to rebellion against the authority of their masters, and thereby endanger the lives of our people and the destruction of our property. They have brought forth an open and avowed enemy to the most cherished and important institution of the South, as candidate for election to the Chief Magistracy of this Government—the very basis of whose political principles is an uncompromising hostility to the institution of slavery under all circumstances.



JOHN BROWN ON HIS WAY TO EXECUTION

They have virtually repealed the Fugitive Slave Law, and declare their determination not to abide by the decision of the Supreme Court, guaranteeing to us the right to claim our property wherever found in the United States. And, in every conceivable way, the whole Northern people, as a mass, have shown a most implacable hostility to us and our most sacred rights; and this, too, without the slightest provocation on the part of the South. Never, in a single instance, has the South, in any shape or form, interfered with the North in her municipal regulations; but, on the contrary, has tamely submitted to paying tribute to the support of her manufactures, and the establishment of her commercial greatness; yet, like the "serpent warmed in the husbandman's bosom," she turns upon us and stings us to the heart. If Great Britain or any foreign power, had heaped upon us the long catalogue of insult and abuses that the North has, there is not a man in the whole South who would not have long since shouldered his musket, and, if necessary, spilt his heart's blood to have avenged them. But because we are members of the same political family it is contended we must not quarrel, but suffer all the impositions at their hands that in their fanatical spleen they may choose to heap on us. Has a man's own brother, born of the same parents, a right to invade the sacred precincts of his fireside, to wage war upon him and his family, and deprive him of his property? And if he should do so, the aggrieved brother has not only

a right, but it is his duty, sanctioned by every principle of right, to cut off all communication with that unnatural brother, to drive him from the sanctuary of his threshold, and treat him as an enemy and a stranger. Then why should we any longer submit to the galling yoke of our tyrant brother—the usurping, domineering, abolition North!

The political policy of the South demands that we should not hesitate, but rise up with a single voice and proclaim to the world that we will be subservient to the North no longer, but that we will be a free and an independent people. Here, then, would be an end to all political dissensions among us, because our interests, feelings, institutions, wants and pursuits, would be identical. Manufactures would be encouraged at home, our commercial interests enhanced, and our national importance established. Our towns would grow into cities, and our cities soon grow to be respected among the great commercial emporiums of the world. We should then have a national right to demand respect from the North, and the restoration of our property when it is abducted by them, or escapes into their territory. And we should no longer be compelled to pay tribute to the support of a corrupt predominant power, whose boasted principles are based upon an opposition to our interests.

All admit that an ultimate dissolution of the Union is inevitable, and we believe the crisis is not far off. Then let it come now; the better for the South that

it should be to-day; she cannot afford to wait. With the North it is different. Every day adds to her sectional strength, and every day the balance of power becomes less proportionate between the two sections. In a few more years (unless this course is speedily adopted by us) there will not be an inch of territorial ground for the Southern emigrant to place his foot on. Our doom will be sealed; the decree shall have gone forth: "Thus far shalt thou go and no farther." But the territories are now the common property of the Government, and in a division of the Union, we should be entitled to our legitimate share in the division, over which, thenceforth, the South would have exclusive jurisdiction, to the exclusion of the meddlesome and power-loving North.

LINCOLN MAKING HIS CABINET

By Thurlow Weed

WEED, from whose "Autobiography" this account is taken, by permission of Houghton Mifflin Company, was a New York State political leader who had supported William H. Seward for the Presidential nomination won by Lincoln. At the time he was editor of the Albany (New York) "Journal."

The interview here chronicled between Weed and Lincoln, at Springfield, Illinois, of course preceded Lincoln's election, which was not a foregone conclusion. As a fact, the country was so divided that Lincoln, feeling the need of all possible support, chose his Cabinet most carefully. He wished even to enlist a Southerner, until his offer to William A. Alexander, of North Carolina, was flatly refused. Graham, as Secretary of the Navy in the Fillmore Cabinet, had organized Commodore Perry's expedition to Japan.

name was presented as a candidate for President, and received with favor by the citizens of Illinois, Messrs. Davis and Swett visited Indiana, Ohio, Pennsylvania, and Maryland, for the purpose of commending Lincoln to the favorable consideration of prominent men in those States. They now called to converse with

IMMEDIATELY after the nomination of Mr. Lincoln for President, at Chicago, in the summer of 1860, while annoyed and dejected at the defeat of Governor Seward, as I was preparing to shake the dust of the city from my feet, Messrs. David Davis [afterward a judge of the Supreme Court of the United States], and Leonard Swett called at my room. These gentlemen, warm friends and zealous supporters of Mr. Lincoln, had contributed more than all others to his nomination. After his

me about the approaching canvass. I informed them very frankly that I was so greatly disappointed at the result of the action of the convention as to be unable to think or talk on the subject; that I was going to pass a few days upon the prairies of Iowa, and that by the time I reached Albany I should be prepared to do my duty for the Republican cause and for its nominees. They then urged me to return home via Springfield, where we could talk over the canvass with Mr. Lincoln, saying that they would either join me at Bloomington, where they resided, or meet me at Springfield.

After passing with a few friends a pleasant week in traveling through Iowa, I repaired to Springfield. We entered immediately upon the question which deeply concerned the welfare of the country, and which had an especial interest for Mr. Lincoln. We discussed freely the prospects of success, assuming that all or nearly all the slave States would be against us. The issues had already been made, and could neither be changed nor modified; but there was much to be considered in regard to the manner of conducting the campaign, and in relation to States that were safe without effort, to those which required attention, and to others that were sure to be vigorously contested. Viewing these questions in their various aspects, I found Mr. Lincoln sagacious and practical. He displayed throughout the conversation so much good sense, such intuitive knowledge of human nature, and such familiarity with the virtues and infirmities of politicians, that I became impressed very

favorably with his fitness for the duties which he was not unlikely to be called upon to discharge. This conversation lasted some five hours, and when the train arrived in which we were to depart, I rose all the better prepared to "go to work with a will" in favor of Mr. Lincoln's election, as the interview had inspired me with confidence in his capacity and integrity.

In December of that year, and after the electoral colleges had shown a large majority for Mr. Lincoln, I was invited to visit him at Springfield, where I again met my friends Davis and Swett. Mr. Lincoln, although manifestly gratified with his election, foresaw and appreciated the dangers which threatened the safety both of the Government and of the Union. But while Mr. Lincoln never underestimated the difficulties which surrounded him, his nature was so elastic, and his temperament so cheerful, that he always seemed at ease and undisturbed. . . .

Mr. Lincoln remarked, smiling, "that he supposed I had had some experience in Cabinet-making; that he had a job on hand, and as he had never learned that trade he was disposed to avail himself of the suggestions of friends." Taking up his figure, I replied, "that though never a boss Cabinet-maker, I had as a journeyman been occasionally consulted about State cabinets, and that although President Taylor once talked with me about reforming his Cabinet, I had never been concerned in or presumed to meddle with the formation of an original Federal

Cabinet, and that he was the first President-elect I had ever seen." The question thus opened became the subject of conversation, at intervals, during that and the following day. I say at intervals, because many hours were consumed in talking of the public men connected with former administrations, interspersed, illustrated, and seasoned pleasantly with Mr. Lincoln's stories, anecdotes, etc.

Mr. Lincoln observed that "the making of a Cabinet, now that he had it to do, was by no means as easy as he had supposed; that he had, even before the result of the election was known, assuming the probability of success, fixed upon the two leading members of his Cabinet, but that in looking about for suitable men to fill the other departments, he had been much embarrassed, partly from his want of acquaintance with the prominent men of the day, and partly, he believed, that while the population of the country had immensely increased, really great men were scarcer than they used to be." He then inquired whether I had any suggestions of a general character affecting the selection of a Cabinet to make.

I replied that, along with the question of ability, integrity and experience, he ought, in the selection of his Cabinet, to find men whose firmness and courage fitted them for the revolutionary ordeal which was about to test the strength of our Government; and that in my judgment it was desirable that at least two members of his Cabinet should be selected from slaveholding States. He inquired whether, in the

emergency which I so much feared, they could be trusted, adding that he did not quite like to hear Southern journals and Southern speakers insisting that there must be no "coercion"; that while he had no disposition to coerce anybody, yet after he had taken an oath to execute the laws, he should not care to see them violated.

As the conversation progressed, Mr. Lincoln remarked that he intended to invite Governor Seward to take the State, and Governor Chase the Treasury Department, remarking that, aside from their long experience in public affairs, and their eminent fitness, they were prominently before the people and the Convention as competitor for the Presidency, each having higher claims than his own for the place which he was to occupy. On naming Gideon Welles as the gentleman he thought of as the representative of New England in the Cabinet, I remarked that I thought he could find several New England gentlemen whose selection for a place in his Cabinet would be more acceptable to the people of New England. "But," said Mr. Lincoln, "we must remember that the Republican Party is constituted of two elements, and that we must have men of Democratic as well as of Whig antecedents in the Cabinet."

Acquiescing in this view the subject was passed over. And then Mr. Lincoln remarked that Judge Blair had been suggested. I inquired, "What Judge Blair?" and was answered, "Judge Montgomery Blair." "Has he been suggested by any one except

his father, Francis P. Blair, Sr.?" "Your question," said Mr. Lincoln, "reminds me of a story," and he proceeded with infinite humor to tell a story, which I would repeat if I did not fear that its spirit and effect would be lost. I finally remarked that if we were legislating on the question, I should move to strike out the name of Montgomery Blair and insert that of Henry Winter Davis. Mr. Lincoln laughingly replied, "Davis has been posting you up on this question. He came from Maryland and has got Davis on the brain. Maryland must, I think, be like New Hampshire, a good State to move from." And then he told a story of a witness in a neighboring county, who, on being asked his age, replied, "Sixty." Being satisfied that he was much older, the judge repeated the question, and on receiving the same answer, admonished the witness, saying that the court knew him to be much older than sixty. "Oh," said the witness, "you're thinking about that fifteen year that I lived down on the eastern shore of Maryland; that was so much lost time and don't count." This story, I perceived, was thrown in to give the conversation a new direction. It was very evident that the selection of Montgomery Blair was a fixed fact; and although I subsequently ascertained the reasons and influences that controlled the selection of other members of the Cabinet, I never did find out how Mr. Blair got there.

General Cameron's name was next introduced, and in reference to him and upon the peculiarities and

characteristics of Pennsylvania statesmen we had a long conversation. In reply to a question of Mr. Lincoln's, I said that I had personally known General Cameron for twenty-five years; that for the last ten years I had seen a good deal of him; that whenever I had met him at Washington or elsewhere he had treated me with much kindness, inspiring me with friendly feeling. "But you do not," said Mr. Lincoln, "say what you think about him for the Cabinet." On that subject I replied that I was embarrassed; that Mr. Cameron during a long and stirring political life had made warm friends and bitter enemies; that while his appointment would gratify his personal friends, it would offend his opponents, among whom were many of the leading and influential Republicans of that State; that I was, as I had already stated, in view of an impending rebellion, anxious that Mr. Lincoln should have the support of not only a strong Cabinet, but one which would command the confidence of the people. We continued to canvass General Cameron in this spirit for a long time, Mr. Lincoln evidently sharing in the embarrassment which I had expressed, and manifesting, I thought, a desire that I should fully endorse General Cameron. I told him that if it were a personal question I should not hesitate to do so, for that I liked General Cameron, and entertained no doubt of his regard for me, but that as I was not sure that his appointment would give strength to the administration, I must leave the matter with himself. "But," said Mr. Lincoln, "Pennsylvania, any more

than New York or Ohio, can not be overlooked. Her strong Republican vote, not less than her numerical importance, entitles her to a representative in the Cabinet. Who is stronger or better than General Cameron?" To this question I was unprepared for a reply, for among General Cameron's friends there was no one eminently qualified, and would have been equally unjust and unwise to take an opponent, and finally General Cameron's case was passed over, but neither decided nor dismissed.

I now renewed my suggestion about having the slave States represented in the Cabinet. "But," said Mr. Lincoln, "you object to Judge Blair, who resides in a slave State." "I object to Judge Blair because he represents nobody, he has no following, and because his appointment would be obnoxious to the Union men of Maryland; and that, as I believe, while he can look into Maryland, he actually resides in the District of Columbia." "Very well," said Mr. Lincoln, "I will now give you the name of a gentleman who not only resides in a slave State, but who is emphatically a representative man. What objection have you to Edward Bates, of Missouri?" "None, not a shadow or a shade of an objection. That is a selection, as Mr. Webster might have said, 'eminently fit to be made.' The political record of Mr. Bates is proverbially consistent. He was a reliable Whig member of Congress from the State of Missouri thirty years ago; he was the able and popular president of the great River and Harbor Improvement Convention

at Chicago twenty years ago; his high personal and professional character, his habits of industry, his equable temper, and his inalienable devotion to the Government and Union, fit and qualify him in my judgment admirably for a Cabinet minister."

Mr. Lincoln said in talking of Mr. Bates: "I am reminded of the advice which Mr. Barton, a distinguished lawyer of St. Louis, gave to a client thirty or forty years ago. A young man from Pittsburgh, Pa., stopped at the hotel in St. Louis, and immediately placed a package of money in deposit with the branch Bank of the United States; after which, and during the day, he made several investments and drew several checks. On the following morning a person called on him to say that he was wanted at the bank, where, as he entered, he found several gentlemen in conversation, one of whom informed him that they had received information of a robbery of the bank from which the money he had deposited had been taken, and that, though delicate and unpleasant, it was deemed proper to inquire who he was, and whether he came honestly in possession of so large a sum of money. The young man replied that he was the son of a wealthy and well-known citizen of Pittsburgh, but that he had no acquaintances in St. Louis and was unable to identify himself. The bank men thought, under the circumstances, it was their duty to retain the money until they could be satisfied that he was the honest owner of it. Finding himself in a tight place the landlord advised the young man (whose name I

think was Anderson) to employ counsel, and recommended him to Squire Barton, the law partner of the famous Colonel Thomas H. Benton. He found Squire Barton at his office, over a store, in his shirt sleeves, who listened attentively and without speaking until the whole case was laid before him, and then taking the young man to an open window said, 'That's a pretty large amount of money for a stranger to carry around with him. There've been a good many robberies lately. 'Tisn't an honest way of getting a living, but some people don't find that out till they've tried it. If you're the son of General Anderson, as I hope you are, and didn't steal that money, my advice is that you face the music, and I will stand by you; but if, as I strongly suspect, you were tempted, and that money isn't honestly yours, I advise you (pointing in the direction indicated) to make tracks for that tall timber, and to put the Mississippi between you and these bank fellows as soon as you can find a crossing.' 'And how much shall I pay you for your advice?' inquired his client. 'If you intend to hoof it, \$5. If you remain and prove yourself an honest lad, nothing!' . . ."

It was now settled that Governor Seward was to be Secretary of State, Governor Chase, Secretary of the Treasury, and Mr. Bates the Attorney-General. I was satisfied that Mr. Lincoln intended to give Mr. Welles one of the other places in the Cabinet; that he was strongly inclined to give another place to Mr. Blair, and that his mind was not quite clear in regard

to General Cameron. Only one place, therefore, remained open, and that, it was understood, was to be given to Indiana; but whether it was to be Caleb B. Smith or Colonel Lane was undetermined. I inquired whether, in the shape which the question was taking, it was just or wise to concede so many seats in the Cabinet to the Democratic element in the Republican party. He replied that as a Whig he thought he could afford to be liberal to a section of the Republican party without whose votes he could not have been elected.

I admitted the justice and wisdom of this, adding that in arranging and adjusting questions of place and patronage in our State we had acted in that spirit, but that I doubted both the justice and the wisdom, in inaugurating his administration, of giving to a minority of the Republican party a majority in his Cabinet. I added that the national Convention indicated unmistakably the sentiment of its constituency by nominating for President a candidate with Whig antecedents, while its nominee for Vice-President had been for many years a Democratic representative in Congress. "But," said Mr. Lincoln, "why do you assume that we are giving that section of our party a majority in the Cabinet?" I replied that if Messrs. Chase, Cameron, Welles, and Blair should be designated, the Cabinet would stand four to three. "You seem to forget that I expect to be there; and counting me as one, you see how nicely the Cabinet would be balanced and ballasted. Besides," said Mr. Lincoln, "in talking of General Cameron you admitted that

his political status was unexceptionable. I suppose we could say of General Cameron, without offense, that he is 'not Democrat enough to hurt him.' I remember that people used to say, without disturbing my self-respect, that I was not lawyer enough to hurt me." I admitted that I had no political objection to General Cameron, who, I was quite sure, would forget whether applicants for appointment had been Whig or Democrat. . . .

JEFFERSON DAVIS' FAREWELL ADDRESS TO THE SENATE

JEFFERSON DAVIS was graduated from *West Point* in 1828 and won distinction in the *Mexican War* as Colonel of the *First Mississippi Volunteers*. Elected to Congress in 1845, he was appointed two years later to fill a vacancy in the Senate. For a time he was Secretary of War. Later he reentered the Senate and became the acknowledged leader of the Southerners.

His defense of the cause of slavery and States Rights was marked by such consistency and moderation that he was the logical candidate for the Confederate Presidency. He was elected to this office, February 9, 1861. About three weeks later he delivered the address of farewell given here.

Soon after Lee's surrender, President Davis was captured at Irwinville, Georgia. He was imprisoned and subjected to the needless degradation of manacles, but was released on bail furnished by Horace Greeley and other indignant Northerners.

His physical condition would not permit me to do so, if it were otherwise; and yet it seems to become me to say something on the part of the State I here represent to an occasion so solemn as this.

I RISE, Mr. President, for the purpose of announcing to the Senate that I have satisfactory evidence that the State of Mississippi, by a solemn ordinance of her people, in convention assembled, has declared her separation from the United States. Under these circumstances, of course, my functions are terminated here. It has seemed to me proper, however, that I should appear in the Senate to announce that fact to my associates, and I will say but very little more. The occasion does not invite me to go into argument; and my

It is known to Senators who have served with me here that I have for many years advocated, as an essential attribute of State sovereignty, the right of a State to secede from the Union. Therefore, if I had not believed there was justifiable cause, if I had thought that Mississippi was acting without sufficient provocation, or without an existing necessity, I should still, under my theory of the government, because of my allegiance to the State of which I am a citizen, have been bound by her action. I, however, may be permitted to say that I do think she has justifiable cause, and I approve of her act. I conferred with her people before that act was taken, counseled them then that, if the state of things which they apprehended should exist when their Convention met, they should take the action which they have now adopted.

I hope none who hear me will confound this expression of mine with the advocacy of the right of a State to remain in the Union, and to disregard its constitutional obligations by the nullification of the law. Such is not my theory. Nullification and secession, so often confounded, are, indeed, antagonistic principles. Nullification is a remedy which it is sought to apply within the Union, and against the agent of the States. It is only to be justified when the agent has violated his constitutional obligations, and a State, assuming to judge for itself, denies the right of the agent thus to act, and appeals to the other States of the Union for a decision; but, when the States themselves and when the people of the States have so acted

as to convince us that they will not regard our constitutional rights, then and then for the first time, arises the doctrine of secession in its practical application. . . .

Secession belongs to a different class of remedies. It is to be justified upon the basis that the States are sovereign. There was a time when none denied it. I hope the time may come again when a better comprehension of the theory of our Government, and the inalienable rights of the people of the States, will prevent any one from denying that each State is a sovereign, and thus may reclaim the grants which it has made to any agent whomsoever.

I, therefore, say I concur in the action of the people of Mississippi, believing it to be necessary and proper, and should have been bound by their action if my belief had been otherwise; and this brings me to the important point which I wish, on this last occasion, to present to the Senate. It is by this confounding of nullification and secession that the name of a great man whose ashes now mingle with his mother earth has been evoked to justify coercion against a seceded State. The phrase, "to execute the laws," was an expression which General Jackson applied to the case of a State refusing to obey the laws while yet a member of the Union. That is not the case which is now presented. The laws are to be executed over the United States, and upon the people of the United States. They have no relation to any foreign country. It is a perversion of terms—at least, it is a great

misapprehension of the case—which cites that expression for application to a State which has withdrawn from the Union. You may make war on a foreign State. If it be the purpose of gentlemen, they may make war against a State which has withdrawn from the Union; but there are no laws of the United States to be executed within the limits of a seceded State. A State, finding herself in the condition in which Mississippi has judged she is—in which her safety requires that she should provide for the maintenance of her rights out of the Union—surrenders all the benefits (and they are known to be many), deprives herself of the advantages (and they are known to be great), severs all the ties of affection (and they are close and enduring), which have bound her to the Union; and thus divesting herself of every benefit—taking upon herself every burden—she claims to be exempt from any power to execute the laws of the United States within her limits. . . .

It has been a conviction of pressing necessity—it has been a belief that we are to be deprived in the Union of the rights which our fathers bequeathed to us—which has brought Mississippi to her present decision. She has heard proclaimed the theory that all men are created free and equal, and this made the basis of an attack upon her social institutions; and the sacred Declaration of Independence has been invoked to maintain the position of the equality of the races. That Declaration of Independence is to be construed by the circumstances and purposes for

which it was made. The communities were declaring their independence; the people of those communities were asserting that no man was born—to use the language of Mr. Jefferson—booted and spurred, to ride over the rest of mankind; that men were created equal—meaning the men of the political community; that there was no divine right to rule; that no man inherited the right to govern; that there were no classes by which power and place descended to families; but that all stations were equally within the grasp of each member of the body politic. These were the great principles they announced; these were the purposes for which they made their declaration; these were the ends to which their enunciation was directed. They have no reference to the slave; else, how happened it that among the items of arraignment against George III was that he endeavored to do just what the North has been endeavoring of late to do, to stir up insurrection among our slaves? Had the Declaration announced that the negroes were free and equal, how was the prince to be arraigned for raising up insurrection among them? And how was this to be enumerated among the high crimes which caused the colonies to sever their connection with the mother country? When our Constitution was formed, the same idea was rendered more palpable; for there we find provision made for that very class of persons as property; they were not put upon the footing of equality with white men—not even upon that of paupers and convicts; but, so

far as representation was concerned, were discriminated against as a lower caste, only to be represented in the numerical proportion of three-fifths. So stands the compact which binds us together.

Then, Senators, we recur to the principles upon which our Government was founded; and when you deny them, and when you deny to us the right to withdraw from a Government which, thus perverted, threatens to be destructive of our rights, we but tread in the path of our fathers when we proclaim our independence and take the hazard. This is done, not in hostility to others, not to injure any section of the country, not even for our own pecuniary benefit, but from the high and solemn motive of defending and protecting the rights we inherited, and which it is our duty to transmit unshorn to our children.

I find in myself perhaps a type of the general feeling of my constituents toward yours. I am sure I feel no hostility toward you, Senators from the North. I am sure there is not one of you, whatever sharp discussion there may have been between us, to whom I cannot now say, in the presence of my God, I wish you well; and such, I am sure, is the feeling of the people whom I represent toward those whom you represent. I, therefore, feel that I but express their desire when I say I hope, and they hope, for peaceable relations with you, though we must part. They may be mutually beneficial to us in the future, as they have been in the past, if you so will it. The reverse may bring disaster on every portion of the country, and,

if you will have it thus, we will invoke the God of our fathers, who delivered them from the power of the lion, to protect us from the ravages of the bear; and thus, putting our trust in God and in our firm hearts and strong arms, we will vindicate the right as best we may.

In the course of my service here, associated at different times with a great variety of Senators, I see now around me some with whom I have served long; there have been points of collision, but, whatever of offense there has been to me, I leave here. I carry with me no hostile remembrance. Whatever offense I have given which has not been redressed, or for which satisfaction has not been demanded, I have, Senators, in this hour of our parting, to offer you my apology for any pain, which, in the heat of discussion, I have inflicted. I go hence unencumbered by the remembrance of any injury received, and having discharged the duty of making the only reparation in my power for any injury offered.

Mr. President and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu.

INAUGURAL ADDRESS OF JEFFERSON DAVIS

*E*LECTED President of the Provisional Government of the Confederacy on February 9, 1861, by the Congress assembled at Montgomery, Alabama, Davis delivered his first inaugural address nine days later. He was chosen to head the Confederate Government because his course through the stormy days just before the Civil War had been marked by consistency and moderation in comparison with the other secession leaders. The choice was eminently popular.

At the expiration of the first year of the Provisional Government, a new Congress was elected, and on February 22, 1862, Davis was again inaugurated, entering upon his term which was set for six years by the Confederate Constitution. His career as President takes in nearly all of Confederate history, his side of the matter being given ably and fully in his "Rise and Fall of the Confederate Government," in which this inaugural address is incorporated.

the virtue and patriotism of the people. Looking forward to the speedy establishment of a permanent government to take the place of this, which by its greater moral and physical power will be better able to combat with many difficulties that arise from the conflicting interests of separate nations, I enter upon

GENTLEMEN OF THE CONGRESS OF THE CONFEDERATE STATES OF AMERICA, FRIENDS, AND FELLOW-CITIZENS:

Called to the difficult and responsible station of Chief Magistrate of the Provisional Government which you have instituted, I approach the discharge of the duties assigned to me with humble distrust of my abilities, but with a sustaining confidence in the wisdom of those who are to guide and aid me in the administration of public affairs, and an abiding faith in

the duties of the office to which I have been chosen with the hope that the beginning of our career, as a Confederacy, may not be obstructed by hostile opposition to our enjoyment of the separate existence and independence we have asserted, and which, with the blessing of Providence, we intend to maintain.

Our present political position has been achieved in a manner unprecedented in the history of nations. It illustrates the American idea that governments rest on the consent of the governed, and that it is the right of the people to alter or abolish them at will whenever they become destructive of the ends for which they were established. The declared purpose of the compact of the Union from which we have withdrawn was to 'establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity;' and when, in the judgment of the sovereign States composing this Confederacy, it has been perverted from the purposes for which it was ordained, and ceased to answer the ends for which it was established, a peaceful appeal to the ballot-box declared that, so far as they were concerned, the Government created by that compact should cease to exist. In this they merely asserted the right which the Declaration of Independence of July 4th, 1776, defined to be inalienable. Of the time and occasion of its exercise they as sovereigns were the final judges, each for itself. The impartial and enlightened verdict of mankind will vindicate the rectitude of our con-

duct; and He who knows the hearts of men will judge of the sincerity with which we have labored to preserve the Government of our fathers in its spirit.

The right solemnly proclaimed at the birth of the United States, and which has been solemnly affirmed and reaffirmed in the Bills of Rights of the States subsequently admitted into the Union of 1789, undeniably recognizes in the people the power to resume the authority delegated for the purposes of government. Thus the sovereign States here represented have proceeded to form this Confederacy; and it is by abuse of language that their act has been denominated a revolution. They formed a new alliance, but within each State its government has remained; so that the rights of person and property have not been disturbed. The agent through which they communicated with foreign nations is changed, but this does not necessarily interrupt their international relations. Sustained by the consciousness that the transition from the former Union to the present Confederacy has not proceeded from a disregard on our part of just obligations or any failure to perform every constitutional duty, moved by no interest or passion to invade the rights of others, anxious to cultivate peace and commerce with all nations, if we may not hope to avoid war, we may at least expect that posterity will acquit us of having needlessly engaged in it. Doubly justified by the absence of wrong on our part, and by wanton aggression on the part of others, there can be no cause to doubt that the courage and patriotism of

the people of the Confederate States will be found equal to any measure of defense which their honor and security may require.

An agricultural people, whose chief interest is the export of commodities required in every manufacturing country, our true policy is peace, and the freest trade which our necessities will permit. It is alike our interest and that of all those to whom we would sell, and from whom we would buy, that there should be the fewest practicable restrictions upon the interchange of these commodities. There can however, be but little rivalry between ours and any manufacturing or navigating community, such as the North-eastern States of the American Union. It must follow therefore, that mutual interest will invite to good-will and kind offices on both parts. If, however, passion or lust of dominion should cloud the judgment or inflame the ambition of those States, we must prepare to meet the emergency and maintain, by the final arbitrament of the sword, the position which we have assumed among the nations of the earth.

We have entered upon the career of independence and it must be inflexibly pursued. Through many years of controversy with our late associates of the Northern States, we have vainly endeavored to secure tranquillity and obtain respect for the rights to which we were entitled. As a necessity, not a choice, we have resorted to the remedy of separation, and henceforth our energies must be directed to the conduct of our own affairs, and the perpetuity of the Confederacy

which we have formed. If a just perception of mutual interest shall permit us peaceably to pursue our separate political career, my most earnest desire will have been fulfilled. But if this be denied to us, and the integrity of our territory and jurisdiction be assailed, it will but remain for us with firm resolve to appeal to arms and invoke the blessing of Providence on a just cause.

As a consequence of our new condition and relations, and with a view to meeting anticipated wants, it will be necessary to provide for the speedy and efficient organization of branches of the Executive department having special charge of foreign intercourse, finance, military affairs, and the postal service. For purpose of defense, the Confederate States may, under ordinary circumstances, rely mainly upon the militia; but it is deemed advisable, in the present condition of affairs, that there should be a well-instructed and disciplined army, more numerous than would usually be required on a peace establishment. I also suggest that, for protection of our harbors and commerce on the high seas, a navy adapted to these objects will be required. But this, as well as other subjects appropriate to our necessities, have doubtless engaged the attention of Congress.

With a Constitution differing only from that of our fathers in so far as it is explanatory of their well-known intent, freed from sectional conflicts, which have interfered with the pursuit of the general welfare, it is not unreasonable to expect that States from which

we have recently parted may seek to unite their fortunes to ours under the Government which we have instituted. For this your Constitution makes adequate provision; but beyond this, if I mistake not the judgment and will of the people, a reunion with the States from which we have separated is neither practicable nor desirable. To increase the power, develop the resources, and promote the happiness of the Confederacy, it is requisite that there should be so much homogeneity that the welfare of every portion shall be the aim of the whole. When this does not exist, antagonisms are engendered which must and should result in separation.

Actuated solely by the desire to preserve our own rights, and promote our own welfare, the separation by the Confederate States has been marked by no aggression upon others, and followed by no domestic convulsion. Our industrial pursuits have received no check, the cultivation of our fields has progressed as heretofore, and, even should we be involved in war, there would be no considerable diminution in the production of the staples which have constituted our exports, and in which the commercial world has an interest scarcely less than our own. This common interest of the producer and consumer can only be interrupted by exterior force which would obstruct the transmission of our staples to foreign markets—a course of conduct which would be as unjust, as it would be detrimental, to manufacturing and commercial interests abroad.

Should reason guide the action of the Government from which we have separated, a policy so detrimental to the civilized world, the Northern States included, could not be dictated by even the strongest desire to inflict injury upon us; but, if the contrary should prove true, a terrible responsibility will rest upon it, and the suffering of millions will bear testimony to the folly and wickedness of our aggressors. In the meantime there will remain to us, besides the ordinary means before suggested, the well-known resources for retaliation upon the commerce of an enemy.

Experience in public stations, of subordinate grade to this which your kindness has conferred, has taught me that toil and care and disappointment are the price of official elevation. You will see many errors to forgive, many deficiencies to tolerate; but you shall not find in me either want of zeal or fidelity to the cause that is to me the highest in hope, and of most enduring affection. Your generosity has bestowed upon me an undeserved distinction, one which I neither sought nor desired. Upon the continuance of that sentiment, and upon your wisdom and patriotism, I rely to direct and support me in the performance of the duties required at my hands.

We have changed the constituent parts, but not the system of government. The Constitution framed by our fathers is that of these Confederate States. In their exposition of it, and in the judicial construction it has received, we have a light which reveals its true meaning.

Thus instructed as to the true meaning and just interpretation of that instrument, and ever remembering that all offices are but trusts held for the people, and that powers delegated are to be strictly construed, I will hope by due diligence in the performance of my duties, though I may disappoint your expectations, yet to retain, when retiring, something of the good-will and confidence which welcome my entrance into office.

It is joyous in the midst of perilous times to look around upon a people united in heart, where one purpose of high resolve animates and actuates the whole, where the sacrifices to be made are not weighed in the balance against honor and right and liberty and equality. Obstacles may retard, but they cannot long prevent, the progress of a movement sanctified by its justice and sustained by a virtuous people. Reverently let us invoke the God of our Fathers to guide and protect us in our efforts to perpetuate the principles which by His blessing they were able to vindicate, establish, and transmit to their posterity. With the continuance of His favor ever gratefully acknowledged, we may hopefully look forward to success, to peace and to prosperity.



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